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**D E B A T E S**  
 OF THE  
**H O U S E O F C O M M O N S**  
 OF THE  
**D O M I N I O N O F C A N A D A .**

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THIRD SESSION—FOURTH PARLIAMENT.

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44° VICTORIÆ, 1881.

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VOL. XI

COMPRISING THE PERIOD FROM THE SECOND DAY OF FEBRUARY, 1881, TO THE  
 TWENTY-FIRST DAY OF MARCH, 1881.

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SECOND VOLUME OF THE SESSION.

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# House of Commons Debates

THIRD SESSION, FOURTH PARLIAMENT.

Volume XI.

2nd Volume of the Session.

## HOUSE OF COMMONS.

WEDNESDAY, 2nd February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### SALE OF RAILWAY PASSENGER TICKETS.

Mr. KIRKPATRICK, in introducing a Bill (No. 43) respecting the sale of railway passenger tickets, said: The object of the Bill was to prevent the unauthorized sale of railway passenger tickets. This practice, which is known as that of ticket scalping, has been developed within the last few years, and is assuming every year greater proportions. I am aware it is a matter requiring very careful consideration before this House should pass a law prohibiting the carrying on of every kind of business; but I shall be able to show the House that this business has a very injurious effect. Canadian railways, especially the trunk lines, have to compete with railways in the United States, and it is the practice across the lines to sell through railway tickets at a lower rate than the local tariff rate in Canada; the reason alleged for this action being, that if they do not do so, they would not obtain any of the through passenger traffic. Those tickets are brought into Canada and sold. In the contract entered into by the railway company with the passenger to carry him, say from Chicago to Boston and return at a certain rate, it is distinctly stated that one of the conditions is that the ticket is not transferable. As soon as the passengers arrive in Canada they find offices open in some of the large cities where it is announced that railway tickets are bought and sold. Tickets are sold to those unauthorized agents, and a fraud is thus perpetrated on the railway companies. Not only has the practice a tendency to allow the use of partly used tickets, but it is a direct incentive to railway employees to commit a breach of trust, either by allowing tickets to pass without being punched, or by obtaining passes which have been used and selling them over and over again at greatly reduced rates to those unauthorized agents. Not only that, but such offices are places where stolen goods are received. When railway passenger tickets have been stolen from the company's office they have in many cases been taken to those unauthorized agents. There is no way of tracing the tickets sold by such agents, and of ascertaining whether they have been stolen from the company's offices. It is proposed by the Bill to prevent the practice of ticket scalping by stating that persons selling tickets in the various cities must be authorized by the railway companies, and that unless they are so authorized they shall not sell the tickets to pass over the lines, and a contravention of this Act shall be a misdemeanor, and the offender shall be liable to fine or imprisonment or both. There was a proposal in the Bill by which a railway company could purchase tickets belonging to another company, so that the companies may be able to give through rates.

Bill read the first time.

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## ST. JOHN HARBOR.

Mr. DOMVILLE enquired, Whether it is the intention of the Government to introduce a Bill, this Session of Parliament, to place the harbor of St. John, N.B., under a Commission?

Mr. POPE (Queen's) said that some correspondence had taken place on the subject; but hitherto, parties in St. John had not been able to agree among themselves. If they arrived at an agreement and submitted the matter to the Government, their proposal would be taken into consideration.

## CANADIAN PACIFIC RAILWAY.

Mr. BLAKE enquired, What is the present estimated cost of the first 100 miles of the Canadian Pacific Railway, west of Selkirk, now under construction, and to be taken over by the Syndicate?

Sir CHARLES TUPPER said the total estimated cost of the first 100 miles of the Canadian Pacific Railway, west of Selkirk, was \$1,350,000, equal to \$13,500 per mile; and he would lay on the Table a detailed statement showing how that estimate had been arrived at.

## PERSONAL EXPLANATION.

Mr. PLUMB. Mr. Speaker, I wish to occupy the time of the House one moment, as a matter of favor, for a personal explanation. I was unexpectedly called to my feet yesterday to reply to the hon. member for North Norfolk. I had no idea of addressing the House at the time, and perhaps, under the excitement of the moment, I said more than I would have said under other circumstances. It has always been my desire—and I think the House will agree that I have shown that desire—to observe, so far as possible, the proprieties of this House, and not in any way to infringe, not only the Rules, but the courtesies of debate; and I think it is due to the House that I should say that, on this occasion, I did make use of an expression which, upon more mature reflection, I would not have used. I make this explanation without consultation, without suggestion, and certainly not because I was vaguely called to account for it by an hon. member who, I must say, did it in a very courteous manner last night; but I do it because I think every gentleman who occupies the time of this House owes it to himself, to the House, and to the country, if at any unguarded moment he descends below the point at which fair argument and fair debate should stop, that he should promptly endeavor to put himself right. No man in the House, perhaps, has had more occasion than I, from those who have been my opponents in the House and from the Opposition public press, to feel somewhat bitterly in respect to personal attacks which have been made upon me. But, Sir,

"I carry anger as the flint bears fire,  
Which, much enforced, yields a hasty spark,  
And straight is cool again."

and if I am bitter or severe, the feeling passes away with the occasion. I wish to say that I had no intention of making a personal attack when I unguardedly said that

certain acts reminded me of the course of pot-house politicians I did not apply, I could not apply, the phrase to hon. gentlemen opposite. I did not intend it to be personal. I am sorry I made use of any such language, and I trust the House will receive my apology with the frankness with which I give it; and I have only to say that I trust others who may, in the heat of the moment, be guilty of unguarded expressions will remember that it is due to this House that we should all endeavor to keep up the dignity of debate.

#### THE DUTY ON MALT.

Mr. ORTON moved for all papers and correspondence in reference to the removal of excise duty from malt, and the collecting of Revenue from malt liquors, as in Great Britain and the United States. He said: Mr. Speaker, the question of removing the duty from malt and placing it on malt liquors, has been casually referred to on many former occasions in this House, chiefly from a brewer's point of view. The matter is now assuming a difficult shape, and is interesting the agriculturists of the country. Our farmers are now competing actively with the farmers of other countries, and Britain herself, in supplying the English and European demand for meat stuffs, and what will place them in a more favorable position to compete successfully, is of importance to the whole country. After a long and arduous struggle in England, between the farmers and the brewers and maltsters, the duty has been removed from malt and placed upon malt liquors, and this has been done in the interest of the British farmer, because it is found that malt is a most valuable article of food, and can be used with great advantage in fattening animals. Malt is, in fact, partially digested barley, and one bushel of malt will go as far as one and a-half bushels of chopped barley, but while an excise duty is collected on malt it cannot be used as a common article of fodder for cattle. A great deal of barley, unfit for brewing purposes, could be used after being malted to very great advantage in cattle feeding. In the United States the duty is collected by stamps on the barrels or other packages of malt liquor, and is found to be a very convenient mode of collecting the duty, much more agreeable to the brewing interests, and also with benefit to the revenue. At the same time the farmers are at liberty to use malt for feeding purposes, which is a great boon to cattle breeders and cattle feeders, and gives them an advantage over our farmers in supplying the old country market with beef. I will read a letter from F. W. Stone, Esq., of Guelph, one of the most celebrated cattle breeders in Ontario, in reference to the subject:

"GUELPH, 31st December, 1880.

"Dr. G. T. Orton, M.P.:

"MY DEAR SIR,—In reply to your esteemed favor of 22nd respecting my opinion in reference to malt as food for cattle and other stock, beg to say that there cannot be any doubt but that malt, or even sprouted barley, is excellent for stock, but the high duty upon malt prevents it from being used as food for stock to advantage, and as the raising and feeding of cattle and sheep for the English market is yearly increasing, and likely to increase, so as to become one of our principal exports, our farmers should be afforded every opportunity to compete with our neighbors in the United States for the cattle trade with Great Britain. They certainly have advantages in pasture and cheap corn, and every inducement should be given to our farmers that would enable them to raise and feed stock for exportation. If the duty was taken off malt, no doubt many would use malt and sprouted barley more or less for feed for stock. If our country is to prosper, our farmers must raise and feed stock, to keep their farms in condition by consuming most of the coarse grain raised. If farmers do not feed their land it will very soon not feed them. The farmers in England, for many long years, petitioned for the repeal of the malt tax (and at last succeeded), on the grounds that it prevented them from using malt for feeding stock, to their great disadvantage, as much barley not fit for malt, or that the maltsters would not buy on account of the high duty, could be profitably made into malt or sprouted for feeding stock. The strongest argument you can use is to point to what England has done respecting duty on malt, where such an immense quantity was made and enormous revenue derived therefrom. To take the duty off malt and put it on beer and malt liquors, could not injure the revenue, and would give the farmers the benefit of using malt to feed their stock.

"Wishing you a happy New Year,

"I am, my dear Sir, yours truly,

"FREDERICK WM. STONE."

Mr. PLUMB.

Also from David Foote, Esq., a large farmer and cattle feeder of Elora, in my county:

"ELORA, 27th December, 1880.

"DEAR DOCTOR,—I got your letter. I see by the newspapers that the farming community in Great Britain are very much pleased that the duty has been taken off malt for feeding purposes. What is good for them, in this respect, cannot be bad for us. My own idea is, that the removal of this duty here would be a very great boon conferred on the farmers of Canada, particularly those in the cattle-feeding districts.

"It is a well known fact, that nearly all vegetable substances, when subjected to certain modes of preparation increase in nutritious qualities; for instance, crushed grain is more nourishing than when left whole; bread, still more so than flour; there is as much difference between crushed barley and malt, as between unleavened bread and a well baked baker's loaf; 'hard tack' is hard to take, but a well baked loaf of bread is always palatable. From the change which barley undergoes in malting one bushel of malt is equal to at least one and a-half of chopped barley, for feeding purposes. In the section of country where I was born and bred, it was no uncommon thing for farmers to buy malt for their horses and cattle, paying a duty I think, of about half-a-crown per bushel.

"Another argument in favor of your motion, is, that owing to the repeated failure of spring wheat, the attention of the farmers will be turned more to stock-raising for exportation, and a greater breadth of barley will be sown, which should be utilized to the best advantage.

"The prospects for those feeding cattle for the British market look bright. The company of which John Black, John Scott and Goodfellow are members, have already purchased nearly 3,000 head for April and May delivery; 600 of which are in the counties of Wellington and Waterloo. The prices to be paid will average \$5.75 per 100 lbs., or an aggregate of about a quarter million dollars, not bad for the beginning of the season.

"Hoping you will get such a measure passed as will enable us to get all the malt we want for feeding purposes,

"I am,

"Yours truly,

"DAVID FOOTE."

I hope the Government will give the matter their early and serious consideration, as I can assure them that it is yearly becoming of greater importance to the agricultural interests of Canada, and the change will also be welcomed by the large brewing interests of this country.

Mr. MERNER. I can thoroughly endorse the views expressed by Dr. Orton on this matter. It will be of great advantage to brewers, as though they will still have to pay duty, if it is placed on malt liquors by means of stamps, as is the case in the United States, it will save them a great deal of inconvenience and annoyance that they are now unnecessarily subjected to by excise officers. I have no doubt also that it will be of use to the farmers. I would like to see the Government attend to this subject as soon as possible. The revenue will be collected cheaper in this way than by the present mode.

Motion withdrawn.

#### ADJOURNMENT.

Sir JOHN A. MACDONALD. I rise to propose a motion, which will be seconded by my hon. friend the leader of the Opposition, and will, I believe, meet with universal assent. Some of our friends have suffered very much in the House of late from their sedentary occupation and want of exercise, and we think, therefore, in order to restore them to their usual state of health, they should have an opportunity, this evening, of stretching their legs, by taking a walk in the cool, bracing air. I therefore move that when the House rises at six o'clock, it stands adjourned till three o'clock to-morrow afternoon.

Motion agreed to.

#### NEW PENITENTIARY AT DORCHESTER.

Mr. WELDON moved for a return of all machinery and other articles removed from the St. John Penitentiary to the new penitentiary at Dorchester, and the estimated value; also of all machinery and articles heretofore in use in the St. John Penitentiary sold by auction or otherwise disposed of, and the proceeds of such sales.

Mr. ANGLIN said it was very much to be hoped that when the returns came down they would remove many of

the rumors in reference to the manner in which the machinery and other materials were disposed of on this occasion, and prove them to be unfounded. A good deal of feeling existed in New Brunswick in regard to the dismantling of the St. John establishment. It was felt that if the Province of New Brunswick must provide for criminals sentenced to less than two years imprisonment, the Dominion should have handed over that institution to the Provincial Government for the purpose, and also the machinery and other fittings that it was not worth while to remove or sell. As the story goes the whole institution was thoroughly dismantled, and machinery was taken down which, if allowed to stand, would have proved useful to the Provincial Government for many years, and which was only sold for old iron because it was not fit to be taken to the Dorchester Institution. It was to be hoped the return would show those statements had little foundation in fact.

Mr. McDONALD (Pictou) said he had heard for the first time that any dissatisfaction existed in New Brunswick on this subject. He had no information of that character from the officers whose duty it was to superintend the removal of the penitentiary from St. John to Dorchester, nor had he heard of any dissatisfaction in the matter, nor cause for it. They had been prepared to do at St. John as was done at Halifax, to remove whatever materials and fittings were useful from the old institution to the new one. Government would make enquiry as to the facts in this case, with a view to laying them all before the House, with any explanations the officers involved might have to make.

Motion agreed to.

#### ST. JOHN PENITENTIARY.

Mr. WELDON moved for copies of all correspondence between the Government and the Government of the Province of New Brunswick, in respect to the St. John Penitentiary, since the first day of January, A. D., 1879, and also the special case agreed upon between the said Governments in respect of such penitentiary and imprisonment therein. He said in 1879 he had called the attention of the House on a motion he then made for papers connected with the St. John Penitentiary, and he now would briefly recapitulate the facts. The St. John Penitentiary was originally built by the city and county of St. John for a House of Correction, and in 1841, by arrangement the Province took the property as a penitentiary, and it was contended that by the arrangement the city and county of St. John had the right given to them to send their short term prisoner, rogues, vagabonds, etc. This privilege was continued down to the Union of the Provinces, and the prohibition in the Criminal Law of confining prisoners sentenced to less than two years imprisonment was suspended as regards this penitentiary. Now that the penitentiary was removed to Dorchester the question had come up. A special case had been submitted to the Supreme Court between the Dominion and Provincial Governments, upon questions as to the power of the Dominion Government, to legislate on this subject, a question upon which there could be but little doubt. What he contended was, that it was not a legal question but a moral obligation, to carry out the arrangement made in good faith between the city and county of St. John and the Province, and if upon investigation it was ascertained that such an arrangement was entered into, then that the Dominion Government in good faith should carry it out. The city and county of St. John were not allowed to appear by counsel on the argument of the special case. Another more serious question has also arisen upon the argument. The counsel for the Province sought an opinion upon the following question: Upon whom, the Dominion or Provincial Governments, does the responsibility rest to provide for the maintenance of

prisoners sentenced to less than two years imprisonment with hard labor for offences against the law of Canada? This question the Dominion Government objected to being discussed, and the Court gave no opinion on the subject. We hoped the Government would consent to submit this question for the opinion of the Court and have this vexed question settled. By the Acts of Union the criminal law and the establishment and management of penitentiaries were given to this Parliament, while the establishment of public and reformatory prisons were given to the Local Parliaments. As the Province of New Brunswick stood, there was no place in which these prisoners could be confined except the common jails of the counties, and it was doubtful if an offender could be sentenced to hard labor in a common jail. At any rate it was a legal question which he hoped would be finally settled, as well as the other claims of the Province, which they sought not as suppliants but as rights to which they were entitled, and which questions seemed to be kept open for no other purpose than to enable members of the Local Government to take two or three trips a year to Ottawa at the expense of the Province.

Mr. McDONALD (Pictou) said there was no objection whatever to bringing down the papers asked for by the hon. gentleman, and he would be glad of the opportunity of letting Parliament know by the production of those papers the exceptional position in which St. John stood with reference to the penitentiary in that city before and since Confederation, and down to the time of the removal of the institution to Dorchester. He would not now enter fully into the question, but simply say that the St. John Penitentiary was not in reality a penitentiary in any sense of the word. It was but a common gaol in which prisoners of all kinds—vagrants and drunkards as well as those convicted of the higher crimes—were imprisoned. In that respect its position was exceptional, for in the other Provinces, for crimes for which imprisonment under two years was imposed, the Provinces provided the prison accommodation. About the time when the question for removing the prison from St. John to Dorchester was being considered, the relation of the Province of New Brunswick, and the duties of the Dominion towards the Province and the city and county of St. John, came under discussion, and, after a voluminous correspondence, a case had been carefully prepared on the part of the Dominion and Provincial authorities and argued by able counsel in the Supreme Court of Canada. On that case so stated judgment had been given, and the hon. gentleman frankly stated that with the determination of the Court he could find no fault. The learned counsel for New Brunswick—the present Judge King of that Province—had proposed to raise the question stated by the hon. gentleman as to the right of the Dominion Legislature to define the periods of imprisonment for which the penitentiaries and the common goals should be respectively available. In other words, to determine whether in all cases of crime—those for which even the smallest punishment was given under the law—it was compulsory on the part of the Dominion to provide accommodation in the penitentiaries. I declined to submit to the Supreme Court what should be the policy of this Parliament. From Confederation down to the present time, with the exception of New Brunswick itself, I believe the policy of Parliament has been—and I never heard it disputed until then—to define when the respective counties in the Dominion should incur the expense and responsibility of providing for crime committed within their bounds. The decision of Parliament was that the punishment for all offences for which the Court awarded less than two years should be by confinement in the common jails of the country. In Ontario provision is made to relieve the counties by providing for confinement in the Central Prison, but in Nova Scotia and the other Provinces

the receptacle is the common jail of the respective counties. New Brunswick, consequently, will have to adopt the same course. I understand that before the penitentiary in St. John was closed, all the prisoners convicted throughout New Brunswick were sent there, no matter what the crime was or how trifling the punishment imposed. I declined to submit to the Supreme Court the question, because I thought it was one which Parliament should deal with and not the Supreme Court.

Motion agreed to.

#### TENTH BATTALION OF MILITIA.

Mr. STRANGE, in moving for copies of all reports, papers, correspondence, telegrams, and Militia orders, relating to the 10th Battalion, Active Militia of Canada, from the 1st day of January, 1875, to the 1st day of January, 1881, said that three or four years ago a number of the officers of the regiment had some little disagreement among themselves which injured the efficiency of the regiment very much. Without going into the cause of the difficulty he wished for the paper in order that the public and those interested in military matters might understand exactly how the case stood. He wished, however, to draw the attention of the House to what he considered to be a great hardship that had been inflicted upon several officers who were not participants in any way in the quarrels of the regiment. The condition of the regiment arrived at such a pitch that, the Government, a few months ago, found it necessary to deprive all the gentlemen holding commissions in that regiment of their commissions. Although he believed it was in the interest of the regiment that those who were in the quarrel should lose their commissions, still he felt a great injustice had been done to many of the junior officers of the regiment. The case had been presented to him by some of those officers, one a volunteer of twelve years standing in England, who had been eleven years in the Canadian militia, and had the honor of being elected as a member of the Wimbledon team for three successive years. This gentleman stated that without any cause he had been virtually deprived of his commission, and he felt that he was in disgrace in consequence. His sons were growing up. One of them was imbued with a military spirit and wished to join the militia of Canada, but he felt if his father was to be cashiered for the offences of his superior officers, he should think twice before joining the force. He (Mr. Strange) trusted the papers would be brought down, so that the whole of the militia force might understand exactly how the matter stood.

Motion agreed to.

#### DOMINION LANDS.

Mr. MILLS, in moving for a return showing the amount appropriated each year on account of Dominion Lands, showing the sum expended in surveys, the amount expended in management, the area surveyed, and the area surveyed which is still unoccupied, said he did not know how far the information asked for in this motion had been embraced in other motions made this Session. He thought the information would be useful to the House, and perhaps to the right hon. gentleman himself, when brought under his notice in a tabulated form. Some years ago the practice was to make extensive surveys of public lands far beyond what the progress of settlement required. But those lands had been obliterated, and it was now almost impossible to tell the exact limits of the various sections and quarter-sections. He desired to know whether this policy had been revived since the right hon. gentleman had come back to power.

Sir JOHN A. MACDONALD said this information had already been produced, but if his hon. friend required to see Mr. McDONALD (Pictou).

it separately he could be accommodated. In 1872 the surveys were in advance of the progress of settlement, but for the last two or three years the opposite was the case. Population was going far beyond the surveys, and considerable expenditure would be required for surveys in those portions of the country.

Mr. MILLS suggested that the return should be accompanied by a map, indicating where the country had been surveyed and where settlement had taken place.

Sir RICHARD J. CARTWRIGHT understood that most of the boundary marks in the North-West were of wood, and were frequently destroyed by prairie fires. If the expense would not be too great, he thought some of the principal marks, at least, ought to be composed of some more enduring material, such as stone or iron.

Motion agreed to.

#### NORTH-WEST TIMBER LIMITS.

Mr. MERNER, in moving for a return of the several timber limits granted to parties in the North-West Territories, the names of those to whom they were granted, the locality of the said limits and the number of acres specified, said that the granting of timber limits by the Government was a cause of great hardship to the settlers, who were not permitted to cut a stick of timber thereon for the purpose of building a house. The same difficulty prevailed in Ontario, and caused hundreds of people to leave Canada and go to the United States. In the United States no timber limits were granted, and he thought the Government should abolish them here, especially as timber was very scarce in the North-West.

Sir JOHN A. MACDONALD stated that of late years, especially since 1878, timber limits had been granted only to parties who undertook to erect saw mills, in order to supply settlers with lumber for building purposes. It was attempted, of course, as much as possible, to confine these limits to portions of the country not adopted or not sought after for settlement, and they were now only granted annually, so that if at any time the section where they existed was sought after for settlement, the department could stop the cutting of timber.

Motion agreed to.

#### EXPLORATIONS OF THE RIVER YAMASKA.

Mr. MASSUE, in moving for a copy of the Engineer who made, in 1880, an exploration of the River-Yamaska from its mouth to Belle Pointe, in the counties of Bagot and St. Hyacinthe, said: I desire to draw the attention of the Government to the necessity of rendering navigable that part of the River Yamaska extending from its mouth to St. Hugues, in the county of Bagot, a distance of some twenty-one miles. Steamboats can run in spring and autumn as far as St. Aimé, but it is impossible for them to continue running during the summer season, because heretofore that part of the river has not received from preceding Administrations the attention it deserved. In insisting upon this improvement, I am only fulfilling a duty from which profit will accrue to the Province of Quebec, and naturally to the whole Dominion. If, as I trust, we succeed in this undertaking; if the present Government, who so well understand the advantages of improvements, as the basis of the future prosperity of the country, look favorably on this question, which has been under consideration since 1859, I say it, with conviction, will render justice to a population of about 130,000 souls living on the banks of this river which runs through the counties of Rouville, St. Hyacinthe, Bagot, Richelieu and Yamaska. Last year the hon. member for Rouville (Mr. Gigault) showed us the advantages that the counties just

mentioned would derive from this improvement, from an agricultural, an industrial and a commercial point of view. The hon. member for Yamaska (Mr. Vanasse) showed us the resources of that part of the country, by referring to the official reports of the census, and persuaded us that the considerable trade carried on there, taking into account the fertility of the soil and the industrial spirit of the population, would be a hundred times greater without those obstacles to navigation. I could not, Sir, allow the occasion to pass without pointing out more precisely, if it were possible, what are the industries and trade of some of the five parishes of the county I have the honor of representing, in order that you may judge of the profits that the country would derive from moneys spent on the improvement of that river, without losing sight of the fact that the area of the different counties watered by the River Yamaska comprises 1,170,198 square acres, of which more than half is in a state of culture. I will limit myself, in order not to take up the time of the House, to the agricultural products of two parishes only in the county of Richelieu, which are in the surveyed section. The parishes of St. Aimé and St. Martel are situated, the one on the north, the other on the south bank of this river, and they cover an area of seven miles by four miles and a-half. The valuation of the real estate is \$700,000. The wood and hemlock-bark which goes through there, for the most part in transit, cannot be estimated at less than 8,000 or 10,000 cords. The product of the land, and products from other sources, which were above the average, were as follows: 17,200 bushels of wheat, 3,000 bushels of barley, 8,000 bushels of peas, 50,000 bushels of oats, 18,000 bushels of buckwheat, 1,500 bushels of beans, 8,000 bushels of Indian corn, 28,000 bushels of potatoes, 3,000 bushels of beets, 2,500 bushels of carrots, 3,000 bushels of turnips, 1,000 bushels of onions, 300,000 bundles of hay, 450,000 bundles of straw, 50,000 pounds of cheese, 20,000 pounds of butter, 20,000 dozens of eggs, 5,000 pairs of fowls, 60,000 pounds of tobacco. The annual sale of animals comprises 2,400 head of cattle, 1,000 horses, and 4,000 sheep. Relying on similar products, or nearly so, of twenty other parishes, we can safely say that the improvement of the River Yamaska would be a source of wealth for the country. Ste. Helene and St. Hugues, in the county of Bagot; St. Barnabé and St. Judes in the county of St. Hyacinthe; St. Louis de Bonssecours, and St. Aimé and St. Marcel in the county of Richelieu; St. Guillaume, St. David and St. Michel, in the county of Yamaska, would immediately benefit by it, as well as all the parishes lying behind these. Easy communication would secure an outlet for agricultural products, and thereby increase them; public enterprise would profit thereby, for the works would hardly be finished before we would see steamboat companies competing for the transportation to the market, either of Sorel or Montreal, the produce of these fertile parishes. Although I am well disposed towards helping the construction of a railway that is to unite the Atlantic with the Pacific, thereby strengthening the union of the Provinces, I think we should not lose sight of the advantages to be gained by improving the Yamaska River.

Mr. LANGEVIN. I feel much pleasure in having laid before this House the answer to the Address moved for by the hon. member. I must add, Mr. Speaker, that the attention of the Government has been specially drawn to this matter by three or four members, among others, by the hon. member for the county bordering on the Yamaska River. This question, no doubt, required to be looked into, and I am satisfied that the hon. member will see by the report that will be laid on the Table of this House, that the engineers, who have studied the question during last summer, have fulfilled their duty, and the reports that are now before the House will be sufficient to enable us to answer the question whether improvements are to be made

there this year. The hon. member will find an answer to that question when the Budget is brought down.

Motion agreed to.

#### RIGHTS OF PROVINCIAL GOVERNMENTS.

Mr. McCUAIG, in moving for copies of all correspondence between any of the Provincial Governments and the Government of the Dominion relating to the rights of the Provincial Governments to appoint police magistrates, justices of the peace and inspectors of licenses, said that the Act of Confederation was so ambiguously drawn in this respect as to leave room for doubt whether the Dominion Government had power to appoint magistrates, justices of the peace and inspectors of licenses. Very recently a case in appeal was tried in Nova Scotia, and the Judge presiding pronounced in favor of the appellants. The decision was to the effect that the Dominion Government alone had the right to make the appointment. It was not necessary for him to call attention to the difficulties that often arose through the conflict of jurisdiction. This Parliament should determine whether the Provincial Parliament enjoyed the right or not. He was opposed to the Government allowing this matter to be tried by private individuals. It should have the case tried before the Supreme Court, which was the proper tribunal to determine whether the Dominion Government had the right to appoint police magistrates and justices of the peace or not.

Mr. McDONALD (Pictou) said his hon. friend was not quite correct in reference to his recollection of the case decided in Nova Scotia. The Judge held that the Lieutenant-Governor of Nova Scotia had not the authority to appoint justices of the peace; but, at the time of the decision, Nova Scotia stood in a different position from the Provinces in this respect. At various periods since Confederation all the Provinces, or at any rate the Provinces of Ontario, New Brunswick and Manitoba, passed Provincial Acts authorizing the Lieutenant-Governors of those Provinces to appoint justices of the peace. At the time of the decision to which his hon. friend referred, Nova Scotia had not followed the precedent set by the other Provinces, and the Judge held that whatever the result might be, had Nova Scotia passed such an Act, the Lieutenant-Governor had not at the time the power, under our Constitution, to appoint justices of the peace. The result was, Nova Scotia the following Session passed an Act vesting such power in the Lieutenant-Governor. What effect that had on the general question is a very different point, well worthy of consideration. With reference to the mode of settling the question as suggested by his hon. friend, there was this difficulty, that in order to make that mode satisfactory to the several Provinces, each Province would, as a matter of course, have to accede to the proposition by joining in the case proposed to be made, and it is questionable whether the Provinces that claim that right under their own legislation would be prepared to join in such a case. The papers would be brought down and any information they could give would be at the disposal of his hon. friend.

Mr. McCUAIG said it appeared to him most extraordinary for the Provincial Legislatures, unless authority had been given them by the British North America Act, to assume to legislate on the subject of the appointment of Queen's Counsel. They could not arrogate to themselves powers properly belonging to the Dominion Parliament. He was wholly opposed to the proposition of the Minister of Justice, that the duty of determining that point should be thrown on private individuals. It was plain that the Judge in the County Court of Digby, who tried the case of Chas. H.

Denton vs. John Daley, in regard to the Canada Temperance Act, clearly understood the limited nature of Provincial rights in this respect. He says:

"But the second point is the more important one. Under our former constitution, except in an action of trespass against the acting Justice, it is difficult to conceive how it could be raised, so strong would be the assumption that gentlemen sitting as magistrates were clothed with the legal authority. It would be absurd to require them to produce their commission on each occasion, and equally preposterous to suggest a doubt that the august personage representing Sovereign power, had Her Majesty's authority for making such appointments."

Judge Savary went on to say, in his elaborate decision:

"Finally we have Section 6 of the Act ordaining that the Governor General shall appoint the Judges of the Superior and County Courts, except the Judges of Probate of Nova Scotia and New Brunswick \* \* \* \* We find, therefore, in the Act nothing inconsistent with the retention of this prerogative in Her Majesty's hands, and the exercise of it by her duly constituted representative, the Governor General, alone."

He was only a layman, but, from what he could judge, this appeared the common sense view of the matter. He did not think the Provincial Governments, if not granted those powers by the Constitution, had any right to assume them. The Provincial Legislatures were rather inclined to be aggressive and assume powers not belonging to them. The Dominion Government had had frequent occasion to disallow bills passed by the Provinces. He hoped the Government of the Dominion would see that this case was brought before the Supreme Court which was established more particularly to settle grave questions of constitutional law. He believed the Provincial Appeal Courts were far better for the trial of most important commercial cases than the Supreme Court. At any rate this question should be finally settled and the rights of the Provinces and the Dominion respectively explained beyond doubt.

Mr. ROBERTSON (Hamilton) said he agreed, in a great measure, with what had fallen from the last speaker. The appointment of justices of the peace in Ontario had become a matter of very great importance, as many of those appointments had given very grave dissatisfaction. Certain ignorant persons could now act as such justices by virtue of the commission issued by the Lieut.-Governor of Ontario. Such commissions having been issued, the only way in which the matter could be decided was by bringing any cases that might arise, in consequence of improper acts of such justices of the peace, before the Supreme Court. It so happened, however, that they were generally of such trifling importance, so far as the wrong done was concerned, that it was impossible to reach the Supreme Court in that way. Therefore it devolved on the Dominion Government to take the matter into their serious consideration, and adopt some means of securing a decision on the question, as to whether the Provincial Governments have power to make those appointments. The question should be easily solved, and if those Acts were passed, it was the duty of this Government to ascertain whether they were really constitutional or not. If it was to be left till the question could be decided by the Supreme Court, we might go on for years and have no satisfaction whatever. He had just been informed by an hon. friend that in the case of a person charged with an assault and battery before one of those new magistrates in Ontario, the magistrate, after looking into the matter and hearing the evidence, acquitted the accused of the assault, and found him guilty of the battery. That was the kind of law administered by some of those justices appointed by virtue of the Act passed by the Ontario Legislature, and of the commission issued by the Ontario Government.

Mr. MILLS said the hon. gentleman who made the motion observed that the Supreme Court did not enjoy the confidence of the country, that its only utility consisted in its being a Court for the decision of constitutional questions. He did not agree with that view, believing, on the contrary, that the Supreme Court had proved, on the whole, satisfactory, and enjoyed, in the main, the confidence of the

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country. If the course recommended by the hon. gentleman was adopted, little as he thought of the Supreme Court now, he would think still less of it in the future. It was a Court of appellate jurisdiction that had to review the decisions of the other tribunals, and had to deal with cases already argued in the Provincial Courts. The hon. gentleman proposed that instead of having cases brought before it in this way, it should have them submitted to it in the first instance and decided previous to the decisions of the other Courts. He did not think there was any room for the doubt the hon. gentleman expressed. Who were the magistrates of the country? Ministerial officers who brought offenders before the Courts of the country. Those officers had certain judicial functions, but you could not constitute a Court without also adding the power to create a magistracy. No doubt the Government here may appoint magistrates in connection with the Supreme Court as ministerial officers; and if they were to exercise the powers given by the British North America Act, and establish Courts of original jurisdiction, they might also appoint magistrates in the various Provinces to assist in the administration of justice in those Courts. But so long as the administration of justice was vested in the Governments of the various Provinces, the power to appoint magistrates would be vested in them also. Upon whom devolved the maintenance of law and order, and of the peace? In what Government and Legislature was vested the police functions that necessarily should lodge somewhere, either in the Local or General Government? All knew where they lay. It would be absurd to suppose it possible for the Local Legislature and Government to discharge the duties devolving upon them without the power to appoint the ministerial officers in connection with such duties. The 14th sub-section of the 92nd section of the British North America Act of 1867, thus defines the powers of the Provincial Governments in this respect:

"The administration of justice in the Province, including the constitution, maintenance and organization of Provincial Courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those Courts."

So there was here not only the constitution, organization and maintenance of the Courts vested in the Governments of the Provinces, but the administration of justice as well.

Mr. McCUAIG. The Provincial Parliaments have no right to appoint any man to deal with the criminal law.

Mr. MILLS said, why should they not have that right? Why was it that the administration of the ordinary criminal law, dealing with the most serious offences in the country was vested in the Superior Courts of which the Judges were appointed by the Government here? It was not because this section was not broad enough to include the appointment of Judges, but because notwithstanding this section there was a special provision in a prior section giving the power of appointing Judges to the Governor General on the advice of his Ministers. The principle which applied in a case of that kind was that where they had a general provision of law, and a special provision excepting something with regard to the general provision, then they were to interpret the exceptional provision strictly, and so interpret the law did not give the power of appointing magistrates to this Government. If the hon. gentleman would look into the matter, he would see that if it were a prerogative of the Crown to appoint magistrates, and if the functions ordinarily discharged by magistrates were vested in tribunals created by another body, that prerogative must remain in abeyance in so far as such districts were concerned where those functions were so performed. The Governor General would have no more power to appoint a magistrate to assist in the administration of justice in a provincial court than Her Majesty would have; and hon. gentlemen knew that the creation of responsible government in this country had

excluded Her Majesty from exercising that prerogative, and the constitution of the country had equally excluded the Governor General from exercising any such power, even though it should have been delegated to him by Her Majesty. His Excellency must govern within the limits of the powers which were set out in the constitution, and under that power he could not appoint magistrates to perform duties which were incident to the ordinary Provincial Courts.

Mr. CAMERON (Victoria) said the hon. gentleman who had just sat down was disposed to rebuke the suggestion that the matter should be referred to the Supreme Court, because, as he said, that Court was one of appellate jurisdiction, and it would be incompetent for it to consider any question which might be brought before it as a court of primary jurisdiction. The Statute creating the Supreme Court, which was passed by the Government in which the hon. member for Bothwell afterwards held a seat, gave the Supreme Court primary jurisdiction in such questions as the one now before the House. The 52nd clause of the Supreme Court Act was as follows:—

“It shall be lawful for the Governor in Council to refer to the Supreme Court, for hearing or consideration, any matters whatsoever as he may think fit; and the Court shall thereupon hear and consider the same, and certify their opinions thereon to the Governor in Council: Provided that any Judge or Judges of the said Court who may differ from the opinion of the majority may in like manner certify his or their opinion or opinions to the Governor in Council.”

So that manifestly it was quite competent for the Governor General to refer a question of this character respecting the construction of the Confederation Act to the Supreme Court, and it would be within the province of that Court to determine it. The hon. gentleman thought a case should first be raised by some private individual, and that, after passing through the Courts below, it should finally come before the Supreme Court in appeal. But surely it would not be fair that a private individual should be subjected to the costs which would be involved in such a process, and he (Mr. Cameron) feared that if they waited until some individual, for the purpose of settling this question, should see fit to carry a case through the various stages of litigation to the ultimate Court of Appeal, at his own expense, they would wait a long time. The question had been raised in Ontario—indeed he had raised it himself in a case of perjury alleged to have been committed before a justice of the peace. The learned Judge had reserved the question, but as his (Mr. Cameron's) client had been, and very properly, acquitted, there was an end of the question in that particular case. It could only be on a matter of comparatively trifling importance that such a question could be raised, because the cases which were brought before magistrates were generally those in which a small amount was involved, as their jurisdiction was very limited. Still as the matters which came before them were those connected with the everyday affairs of the people it was important that the question of the validity of their appointments should be settled, and he therefore agreed with his hon. friend from Prince Edward (Mr. McCuaig), that the Government should take steps to have the question decided by the Supreme Court, of whether the power of appointing magistrates lay in the hands of the Local Governments or in the Government of the Dominion. The fact that the Lieutenant-Governors in Council of the various Provinces had assumed that they had the power to pass Statutes, taking that power proved nothing, unless it could be shown that the Confederation Act gave them such power. He did not think that the members of this Government or the members of this House would be very anxious to obtain the additional patronage which this power would give them—he for one would not—nor was he prepared to say that if that power were thrown upon them their appointments would be more satisfactory than those which the hon.

member for Hamilton (Mr. Robertson) had so strongly condemned. No doubt there were many of the magistrates appointed who were inefficient and unfit for the discharge of their duties—men who encouraged litigation and gave very absurd decisions; but, on the other hand, there were many intelligent men who properly and efficiently fulfilled the functions to which they were appointed. That, however, was beside the real question, which was an important constitutional question, and one regarding which no doubt should be left on the minds of the people as to the validity of those who had such important duties to discharge.

Mr. BLAKE. I think there is one point which should not be lost sight of in reference to the suggestion of the hon. member for Prince Edward, and that is that in a written Constitution like ours, embracing within a few lines provisions which required for their interpretation a very extended commentary, we should not overlook the question of what has been the settled practice under an interpretation of that Constitution. It seems to me that this is of the utmost importance, as throwing light upon the real meaning and intention of the Constitution, and that neither judges, nor lawyers, nor members of Parliament, nor Governments, can ignore a settled practice for many years. Now, with reference to this particular matter the Local Legislatures assumed, rightly or wrongly, that they were possessed of the power of dealing with this portion of the administration of justice from, I think, the first year that this Constitution was inaugurated. Their acts were subject to disallowance if they were *ultra vires*, and it was obviously a case for disallowance because it was a direct assumption, on the theory that this was beyond their power, of the executive power of this Government, and it was calculated to produce the greatest degree of confusion that there should be a double set of officers of justice. No attempt has been made by the general Government under either party to exercise the supposed right of appointing justices of the peace, save perhaps by exceptional legislation in districts under Canadian control. We have, then, a practice of thirteen or fourteen years interpreted by the Local Legislatures and Governments, and by the action and inaction of the general Legislature as to the meaning of this clause of the Constitution, and I say that while no Judge can well ignore that in interpreting the Constitution, and it is conclusive against the propriety of this Parliament moving this Government now to take steps to upset that settled reading of the Constitution. If there be an error in this settled reading it is not for us to endeavor to establish that error. The Courts are open to all. The humblest subject can seek them, and if there has been an error he can seek redress. But at this time of day, and speaking of this in the political sense, I maintain that the relative powers of the general and local authorities are settled by our practice, and ought not to be upset or subverted by us; and any action of ours ought rather to be in the direction of establishing than of changing that settlement.

Mr. MACDOUGALL. I think it is very inconvenient to discuss so important a question as is raised by the hon. gentleman (Mr. McCuaig) in his speech, rather than in his motion, without due consideration, because however much reflection one may have given to these nice constitutional points, one is not ready at a moment's notice to express a decided opinion one way or the other. However, I would not like to have it said afterwards that by silence my consent was given to any doctrines that may be laid down in this House with respect to that Constitution. As a member of this House, and as having had something to do with the framing of the Constitution, I would say that I do not assent to the view expressed by the hon. gentleman opposite with reference to the liberty enjoyed by members of this House, and by Parliament as a body, in raising questions or in assenting to a principle which may

be found at any moment to have been a wrong principle or contrary to the practice heretofore pursued under our Constitution. I do not think that one could plead with much success before a court of law that thirteen-years acquiescence in an improper interpretation of the Constitution binds either any subject of the country, or any member of Parliament, or any functionary. It is not easy to point out the person upon whom should be cast the duty of raising a question of this kind. It is asking a subject to undertake a very serious and expensive process to settle a constitutional question, if there is a remedy in any other way; on the other hand, it may be a question of great political difficulty for a Minister of Justice of his own motion to raise such a question as the proper interpretation of the Constitution on points involving the authority of the Government of the Dominion and of the Provinces. We know that there are sectional jealousies, and that judicial decisions have already been given upon the constitutionality of powers exercised by the local authorities. Upon the question itself I have never felt much difficulty in arriving at the conclusion that it was not contemplated by the framers of the Constitution that the appointment of ordinary magistrates should be regarded as a prerogative right that could only be exercised by the Governor-General. I think, according to the clause that was read by the hon. member for Bothwell (Mr. Mills), it follows, as a necessary legal consequence, that the local legislative bodies are competent to frame laws for the administration of justice and the constitution of Courts, and we must remember that in the exercise of that legislative power, they are also able to provide for the mode of exercising these functions, and the further mode in which the administration of justice shall be conducted, and that, therefore, as a matter of reasoning, they have the appointment of magistrates of the ordinary class. We use the word magistrates with reference to the highest judge, as well as the ordinary police magistrate; but in the sense in which this word would be applied to those who are concerned in the administration of justice under legislation, enacted by the Local Legislatures, it does seem to me that no very violent presumption is required in coming to the conclusion that that includes the power of providing for officers who shall be called magistrates, and who shall perform the functions that are ordinarily attributed to magistrates who act in the lower ranks of the judicature. But if the question is to be raised, then it might perhaps be raised by the expression of opinion by Parliament, upon a motion brought forward for that purpose, authorizing a case to be submitted to the Supreme Court. I rise, Sir, to offer an observation on the present circumstance because I think the hon. leader of the Opposition, whom we all know to be a very distinguished lawyer, has propounded a doctrine which, as applied to other clauses of the Constitution and to other cases which may arise, may prove somewhat embarrassing in the future as tending to limit the powers of this Parliament.

Motion agreed to.

#### POST OFFICE AT LOWER CARAQUET.

Mr. ANGLIN, in moving for copies of all correspondence relating to the closing and re-opening of the post office at Lower Caraque, County of Gloucester, N. B., and the change of the postmaster at that place, said that some three years ago, after considerable correspondence on the subject, he succeeded in obtaining the establishment of a weekly post office at Lower Caraque in that county. The district contained a number of families who had not much communication with the rest of the world. He was surprised to find last year, at the time Parliament opened, that that post office was closed. He inquired as to the reason and found that it did not do sufficient business in the opinion of the Postmaster General to warrant the office

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being kept open. The revenue was unquestionably very much smaller than the expenditure. The opening of the post office could not on these grounds be justified; but there were other and higher reasons why it should be kept open. He appealed to the Postmaster General and placed before him the importance to these people of having postal communication even once a week, and asked that the office be re-established. He could ask no favor of the Minister; but he asked justice and fair play towards a large number of people. He was pleased to learn that the post office would be re-opened, the reasons having been found sufficient to justify that course; but he was surprised to find that although it had been found too expensive to run one mail weekly, yet under the new arrangement three mails were to be run every week. He was also surprised that the gentleman he (Mr. Anglin) had recommended in the first instance for the office had not been re-appointed. He (Mr. Anglin) wrote to the Postmaster General asking why that gentleman had been set aside, as he possessed an excellent character and a fair education, and was well qualified to discharge the duties. He, moreover, desired to know whether any charge had been preferred against this person, either of misconduct or incapacity, in order that he might have an opportunity of vindicating his reputation. The reply received was a somewhat curt one, and was to the effect that the postmaster having virtually ceased to be postmaster when the post office was closed, the department did not feel it necessary to re-appoint him. The whole circumstances give the proceedings the character of a petty political operation, which the Government should hesitate to carry out. He brought the matter before the House, because he wished it to be known throughout the country that that extraordinary course was taken to embarrass him politically in the country, and to encourage his opponents in the county. The present post office did not, moreover, so fully meet the wants of the district as did the former one. It was nearer to the main office at Caraque, and was not in the centre of the population for whom it was required. The new postmaster was a political opponent, but there was no objection, if a new appointment had to be made, that a political opponent should be selected. He would have said nothing whatever on that point, but under the circumstances the country would like to know why it was that at one time a weekly mail for that district was considered too expensive, and yet within a short time afterwards a tri-weekly mail was established; and why a man was set aside against whom no complaint was made, or against whom no complaint could be justly made.

Mr. LANGEVIN. This matter occurred under the administration of my successor in the Post Office Department, and when I observed the notice on the paper I obtained from the Postmaster General a memorandum, to the following effect: The Lower Caraque post office was closed in October, 1879, on account of the small amount of revenue only, \$6.27 being collected during the year ending 30th June, 1879, while the annual cost of maintaining the office was \$60. In April, 1880, it was represented to the Postmaster General that the small amount of business transacted at the office was mainly owing to the infrequency of the service—once a week—and an offer was received from John Young to convey the mail three times a week for the same price as was paid for a weekly service. The offer was accepted for one year as a trial; the post-office was reopened on 1st June, and John Young was appointed postmaster.

Mr. ANGLIN said the present post office did not accommodate the people whom it was designed originally to serve. It was now an office entirely for the accommodation of the postmaster himself, who was also paid for carrying his own mails; for that was what it amounted to.

Motion agreed to.

## POST OFFICES AT POCKMOUCHE.

Mr. ANGLIN moved for correspondence respecting the closing of two post offices in the Parish of Pockmouche, County of Gloucester, New Brunswick, and the opening of another office and the appointment of another postmaster. He said that a large portion of the parish of Pockmouche was formerly served by two post offices, the population of the district served being considerably over 2,000. One of the offices was centrally situated; but he had felt a strong reluctance to ask for the removal of a postmaster who had been there for several years. The people on the other side of the river having been put to a great inconvenience in coming to this post office for their mails, a post office was, at his suggestion, established for their convenience. A short time ago, however, both post offices were abolished, and the whole district was now served by only one post office. The existence of the second post office did not entail any expense beyond the salary of the postmaster. Some of the people had to go a distance of four or five miles for their letters or papers. He thought this was one of those cases of petty political malice which ought to be thoroughly exposed, and he was sorry to find any one of the departments of this country degraded into becoming the agency for carrying out petty, local, political spites of this kind. There had been no complaint against either of the postmasters, and although not more than \$10 or \$12 a year was saved, the inconvenience caused to hundreds, and he might almost say thousands, of people through the change was very great indeed.

Mr. LANGEVIN said the hon. gentleman was quite wrong when he said there was any intention of using the post office Department for political purposes. The suppression of these two post offices took place because the public service required it. They could not place a post office at the door of every individual in the country. Post offices had multiplied to such an extent that it was proper for the Post Office Department to suppress such as were not really necessary. They had done that in different parts of the country, and though the saving in individual cases might not be more than \$20, or \$30, or \$40, the saving multiplied twenty or thirty times made a large sum, and enabled the department to open post offices where none existed now. In the present instance, although the department had suppressed two post offices, they had established one in order to meet the requirements of that district; and he had no doubt, when the hon. gentleman saw the correspondence and ceased to look through his political glasses, he would find that the Post Office Department took the proper course.

Mr. ANGLIN said he had respectfully to contradict the hon. gentleman. He knew that district and its necessities, and he could assure the hon. gentleman that the department had been entirely misinformed when they had been told that the public service required the suppression of any one of these offices. At present a large number of people had to travel long distances, and to go far out of their way to reach the post office which had been established. The proper course would have been to remove one of these offices further away towards Tracadie, and place it more in the centre of the section it was designed to serve. The public service did not require the change that was made, and the cause and motive of it were entirely political and local. In this case there was something more than a mere petty local quarrel; there was the design to injure him in that particular district, but that entirely failed, because the people were all satisfied that the work was not of his doing, that he wished to obtain for them all the accommodation to which they were entitled with due regard to the protection of the public revenues. He had never asked anything from the late Government which he did not feel justified in asking within that limit. The hon. Minister had been misinformed and had misinformed the House when he said

the public service required this to be done. It was low, petty, political malice that required it to be done.

Mr. O'CONNOR moved the adjournment of the debate.

Motion agreed to.

## RETURNS.

The following motions for returns were severally agreed to:—

Return of all appointments made since September, 1877, of persons whose services were to be rendered partly or wholly in the Province of Manitoba, their salaries and by whom recommended.—(Mr. Ryan, Marquette.)

Copies of all Orders in Council, reports, letters and other documents in relation to a certain drawing of lots for lands on Red River, Province of Manitoba, in virtue of which the Hudson's Bay Company now claim to be the proprietors of a very considerable number of lots improved, cultivated and built upon by private individuals prior to the public notice of the 14th November, 1877, signed by J. S. Dennis, S. G.; also, copies of all reports and documents in consequence or in virtue of which the Dominion Government has, as it is stated, granted to the Hudson's Bay Company one-twentieth of all lands outside of the townships, or in the settlement belt; also, copies of all reports, records, or other documents, upon which the aforesaid notice of 14th November, 1877, was based; also, copies of all letters of instruction, schedules and other letters or documents, in relation to the said subject, addressed to the Lands Office at Winnipeg, with the answer thereto; also, copies of all memorials, claims, petitions and requests, forwarded to the Government on this subject, from the 14th November, 1877, up to this date.—(Mr. Royal.)

Copies of all papers touching the mission of Mr. Lang, of the Department of the Interior, last summer, to Manitoba, in connection with the unpatented lands of said Province.—(Mr. Royal.)

Copies of all correspondence relating to the appointment of Major General Luard; together with copies of all complaints made to the Department of Militia, or the Government, in regard to the administration of Militia affairs by the said Luard.—(Mr. Ryan, Marquette.)

Copies of communications or correspondence affecting applications for patents to land in the parish of St. Peter.—(Mr. Ryan, Marquette.)

Copies (1) of the correspondence respecting the contract for all the wood furnished to the Department of Marine for the use of the lower lightship in the Traverse during the past summer; (2) The price paid for this wood, the quantity, quality and kind furnished; (3) The person who furnished this wood; (4) The person who received and measured this wood; (5) Copies of the aforesaid contract or of any document giving evidence of its terms.—(Mr. Casgrain.)

House adjourned at 6 o'clock, p.m.

## HOUSE OF COMMONS.

THURSDAY, 3rd February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## CONTROVERTED ELECTION OF RICHELIEU.

Mr. LAURIER moved that the first Order of the Day be the resumption of the adjourned debate on the proposed motion of Mr. Laurier, for the reception of the petition of Edmund Ritter and others, complaining of a certain failure of justice in connection with the Controverted Election of Richelieu.

Motion agreed to.

Mr. LAURIER asked that the petition be read.

The petition was read accordingly.

Mr. MOUSSEAU. The day that petition was presented, I held, as I do now, that it ought not to be received. It is a mere election petition. It sets forth that the hon. member for Richelieu (Mr. Massue) was elected in September 1878; that he gained his election through improper means; through extensive bribery; not only by his agents, friends and followers, but by himself; that petition and counter petition were made; that the case was fixed for *enquête* and merits, and adjourned until the 25th November, 1879, when both petition and counter-petition were dismissed with costs; that this judgment was obtained through collusion and fraud; that there was an understanding to the effect that the member elect, Mr. Massue, was to pay the costs in both cases, and that apart from that he had to pay very large sums of money to some of the petitioners; that this bribery and those improper practices are an infringement of the franchise and the provisions of the House; and the prayer of the petition is that the petitioners should be allowed to prove those facts, not only the facts which brought about the judgment, but also those preceding the judgment and which were the cause of the first contestation. They ask to be allowed to lay before this House the nature of those facts. Before proceeding to prove that this is a mere election petition, I will read the judgment, pages 23 and 24 of the Journals of the House of last Session:

"The Court, having heard the pleadings of the Attorneys of the parties upon the election petition of the petitioners, Jean Jacques Bruneau, *et al.*, vs. Louis Huet Massue, complaining of the election and return of the said Louis Huet Massue, as member elected at the election of a member for the House of Commons of Canada, for the Electoral District of Richelieu, held on the tenth day of September for the nomination of candidates, and on the 17th day of September for the polling of votes, in the year of Our Lord one thousand eight hundred and seventy-eight (1878):—And upon the counter-petition presented by the said Louis Huet Massue vs. Georges Isidore Berthe, the candidate who opposed him at the said election, and upon the issue between the said parties, having taken communication of the paper-writings of the parties drawn up for the institution of their suit, examined the exhibits and papers filed by the parties respectively, having duly considered the evidence, and upon the whole deliberated, the said case having been fixed for yesterday, the twenty-fourth (24th) November, one thousand eight hundred and seventy-nine (1879), for proof and hearing, then on yesterday put off and adjourned regularly to this twenty-fifth (25th) day of November, one thousand eight hundred and seventy-nine (1879).

"Whereas, the petitioners, Jean Jacques Bruneau, *et al.*, have completely failed to prove the essential allegations in their petition, and, whereas, none of the illegal corrupt practices alleged against the respondent, Louis Huet Massue, have been proved; but, on the contrary, the said Louis Huet Massue, his son, Louis Aimé Massue, and his agent, Daniel McCarthy, all three have sworn that they did not commit in relation to the said election, and during the said election, any unlawful or corrupt act, and no other evidence hath been offered: has set aside, and sets aside the said election petition with costs to Messrs. Mathieu et Gagnon, Attorneys for the respondent.

"And adjudicating upon the petition or counter-petition filed by the said Louis Huet Massue, against Georges Isidore Barthe, the candidate opposed to him at the said election:

"Whereas, the said Louis Huet Massue has proved no part of his allegations against the said respondent, Georges Isidore Barthe, the sole witness examined, Napoléon H. Ladouceur, M. D., not having revealed any fact sufficient to constitute a charge against the said Georges Isidore Barthe, in like manner, has set aside and sets aside the said petition of the said Louis Huet Massue, with costs to Mre. Germain, Attorney for the respondent.

"And the Court directs that the deposit of 1,000 made by the petitioners, Jean Jacques Bruneau, *et al.*, and the deposit of a like sum of \$1,000, made by the said Louis Huet Massue, in the hands of A. N. Gouin, Esq., Prothonotary of this Court, and by him deposited in accordance with the provisions of the Act respecting judicial deposits in the hands of the Provincial Treasurer, be returned and paid back by the said Provincial Treasurer to the said Prothonotary of this Court, A. N. Gouin, Esq., and by the latter handed over to the petitioners and to the said Louis Huet Massue, after deduction from each of the said deposits, respectively, of an amount sufficient to cover the costs which shall be taxed in favor of the opposite party respectively, including cost of witnesses, constables, criers, and others, which said costs shall be paid by the said Prothonotary to the proper parties entitled thereto.

"By the Court.

"CHARLES GILL,  
"J.S.C."

MR. LAURIER,

The petition alleges there was collusion, and that without any evidence whatever the petition was dismissed. We see by this judgment that evidence was adduced and the best evidence called by the petitioners themselves, that of Mr. Massue, whose high character is recognized by everybody. The petitioners themselves had so much confidence in the member elect that they could do no better than call him as a witness. They called his son and then his agent, and being unable to prove any corrupt practices, the petition was dismissed. Now, Sir, they came to this House with a petition in which they insinuate that there have been improper practices, and that the judgment was obtained by collusion and fraud, and it is the same petition word for word which was brought up last Session, except some changes in the names of the petitioners. By the Acts of 1873 and 1874 I contend that this Parliament did exactly as has been done by the Imperial Parliament; that is, we have divested ourselves of all jurisdiction in election cases, and of the means of inquiring into allegations of corrupt practices on the part of those who sit in this House as members thereof. There are now other modes by which such cases can be dealt with. First, they can be dealt with by an election petition, to be presented within thirty days of the announcement in the *Canada Gazette* of the return of the member. If the seat should be still contested by election petition before the Courts, it is to be contested according to the following clause:—

"The petition must be presented not later than thirty days after the day of publication in the *Canada Gazette*, of the receipt of the return to the writ of election by the Clerk of the Crown in Chancery, unless it questions the return or election upon an allegation of corrupt practices, and specifically alleges a payment of money or other act of bribery, to have been committed by any member or on his account, or with his privacy since the time of such return in pursuance, or in furtherance of such corrupt practice in which case the petition may be presented at any time within thirty days after the date of such payment or act so committed."

This Parliament has a right to take cognizance of the facts when the case has been finally disposed of by the Courts and then only on the certificate of the Judges as to special Acts of bribery. In the present case a final judgment has been rendered by the Courts according to section 63. We have before us a judgment unimpeached and unimpeachable, and it is therefore impossible for us to erect ourselves into a high court of appeal to review the judgments of an election court. If the allegations of the petition be true, they should come before the same Court by a special petition, though I admit that this remedy was not available in this case, because the petition was not presented as it should have been within the limit of time provided by law. As to the remedy, by presenting a petition to Parliament, I wish to refer to a decision rendered in 1874, by the Speaker of that day, the hon. member for Gloucester (Mr. Anglin), and which is thus recorded on our Journals:

"A motion being made and seconded, that the petition of Horatio LeBoutillier, of Gaspé Basin, Province of Quebec, presented on Thursday last, praying that the return for the last election for the electoral district of Gaspé, be completed and amended, as a matter of privilege, by substituting the name of the petitioner for that of Louis George Harper, be now received;

"And objection being taken to the reception of this petition, on the ground that the subject is one which could only come under the cognizance of the courts of law as provided by statute;

"Mr. Speaker said: 'I cannot find any rule or precedent to guide me in coming to a conclusion on this question. I think it would be well for the House to consider this matter, and lay down a rule with respect to similar petitions in the future. I am of opinion that it is an election petition. Looking over the late English journals, I cannot find any cases of petitions of this nature having been ruled out. After considering all the circumstances, I think that the petition ought not to be received.'"

Later on, in 1873, there was a very important case which came up before the Imperial Parliament. The facts are not similar to those presented here, but the principle involved is exactly the same. An election had taken place for Stroud and the seat of the member returned was contested,

and he lost his seat but was not disqualified. The Judge in his return spoke of bribery being committed by some other party, and on a motion being made that the member be unseated some members of the House strongly objected on the ground that by implication the certificate of the Judge showed that the member ought to be disqualified. Some members of the House desired to take new action and go further than the Judge had done. The debate was exactly on a similar question to this: whether Parliament, after having divested itself of jurisdiction in the matter, ought to take cognizance of that case. I will read an extract from a very important book which has just been published, "Amos' Constitutional History," page 445:

"The question has arisen in the English House as to whether by assenting to the Act the House of Commons has for ever parted with its undoubted jurisdiction in cases of election petitions. Under the Act the Judges made their report to the House of Commons, and in the course of their report they are requested to state whether they believed that corrupt practices have extensively prevailed."

Now, under our own law, there are two means of unseating members. When bribery has prevailed in an election to such an extent as that the electors ought to be disfranchised, we have the necessary machinery as provided in 1876. Then a Commission may go on the spot and make enquiry; and if the enquiry corroborates the facts of the petition, further action may be taken to disfranchise the constituency. The work referred to goes on to say:

"On the presentation of this report it might be held to be competent for any member to propose, and for the House to take, any further steps which might commend themselves, without being further bound by the Act. But it would appear by the debate which took place in the House of Commons, February 9th, 1875, that it is no longer practically competent for the House of Commons to do other than carry out the logical results of the Reports of Elections' Judges. The sitting member for Stroud had been declared by the Election Judge not duly elected, but the Judge added, in a last paragraph of a long report, that he had no reason to believe that corrupt practices had extensively prevailed. On the proposition for issuing the new writ for Stroud being resisted in the face of the exculpatory report of the Election Judge. Mr. Disraeli, as Prime Minister and leader of the House of Commons, made a speech which derives some importance from the exactness with which it seems to have expressed the mind of the House. Mr. Disraeli said, in fact, that the House of Commons could not refuse to issue a writ for Stroud without abrogating the Election Petition Act, and, as he says, asserting the authority of the House, independently of the other estates of the realm. Referring to the Act itself, Mr. Disraeli says: In that Act there were certain powers given to the Judges which the House of Commons waived after ample discussion, after great thought, and with a due sense of the sacrifices they were making. If we were now to announce that, because the decision of a Judge acting under such authority does not please us we are to come to a decision contrary to that which, according to the provisions of the law, has been made public, I can only look upon it that if this motion were carried, the authority of that Act would be entirely superseded. I am not prepared, however, to supersede or abrogate that Act. \* \* \* I trust the House will not allow itself to deviate into a path so dangerous and difficult as the one that has been indicated, and which we have been recommended to pursue to-night. I am sure if we do we shall open up a scene of confusion which will not easily end, and no question of a contest will ever come before the House without some proposition being made so unconstitutional in its character that the result must be the degradation of the authority of Parliament, and the reduction of all our powers to make ourselves useful to the country."

Mr. Speaker, I rest the case on that important petition. This petition in fact is not a mere election petition. It is one of a class the jurisdiction over which this Parliament entirely divested itself by the Acts of 1873 and 1874, and we have nothing whatever to do with the means by which a member gets or keeps his seat.

Mr. LAURIER. My hon. friend has altogether mistaken the character of this petition. It is by no means an election petition. It is not even alleged that the hon. member for Richelieu has been guilty, either by himself or through his agents, of improper practices. It is alleged simply, that a petition was filed against him charging that his election had been tainted by corrupt practices, committed both by himself and by his agents.

Mr. MOUSSEAU. It is only alleged,

Mr. LAURIER. Yes; and that through a corrupt agreement entered into between himself and the petitioner, the investigation of these charges was waived. This is the gist of the allegation of the present petition. This petition is based upon peculiar facts, and is in itself of a peculiar nature. The allegations of the petitions are of such a nature as must command the very guarded action of the House. On the one hand, if the allegations of the petition were true, they would certainly constitute a serious charge against a member of this House. On the other hand, if they are true, it is manifest that the ends of justice have been defeated, and that the rights of the people, to be represented in this House according to the forms of law, have been jeopardized and actually set at naught. Personally I know absolutely nothing of the truth of the allegations made in this petition, and, in justice to the hon. member for Richelieu, I must say that until their truth has been established he must be held to be innocent of them all. On the other hand, I am informed that the petitioners whose names appear at the bottom of this petition are men of respectability, men of position and influence in their community, who would not make such assertions unless they had *prima facie* evidence that they are true. I take it, therefore, that this petition is purely judicial in its character, and ought to be dealt with in a purely judicial spirit, and with the full determination to administer the law without fear or favor, and to do justice to both parties. It may be well that I should state the allegations of this petition for the benefit of those members who have had no opportunity of becoming acquainted with them. At the last election the candidates were the present sitting member, Mr. Massue and Mr. Barthe, who had the honor of holding the seat in the previous Parliament now occupied by Mr. Massue. Mr. Massue was returned by the returning officer as elected, and in due course a petition was filed against him, charging him personally and his agents with corrupt practices. Though it is not material to the purpose of the present discussion, I may say that a counter-petition was filed against Mr. Barthe, charging him with corrupt practices, and asking for his disqualification. After divers desultory proceedings the case was set down for trial on the 24th November, 1879, and on that day, the Judge being present, a trial was gone over. Three witnesses were examined on the part of the petitioner—Mr. Massue, his son, and Mr. Massue's agent, Daniel McCarthy, each of whom, on oath, denied being guilty of corrupt practices; and there being no other witness the petition was dismissed. The judgment of the Court was as follows:—

"Whereas, the Petitioners, Jean Jacques Bruneau, *et al.*, have completely failed to prove the essential allegations in their petition, and, whereas, none of the illegal, corrupt practices alleged against the respondent, Louis Huet Massue, have been proved, but, on the contrary, the said Louis Huet Massue, his son, Louis Aimé Massue, and his agent, Daniel McCarthy, all three, have sworn that they did not commit, in relation to the said election and during the said election, any unlawful or corrupt act, and no evidence hath been offered: has set aside, and sets aside the said election petition with costs."

It would appear from the allegations of this petition now before the House, that this trial which took place on the 29th November, 1879, was not a true and genuine trial, but a mock trial—that it was nothing but a solemn judicial farce—to which the Judge was made an unconscious party. The petitioners allege that at the time this trial took place, a corrupt agreement, made for a money consideration, had been entered into between the petitioners and the respondent to the effect that the petition should be abandoned; but to prevent the public being informed of this agreement, and to prevent any elector coming forward and being substituted in lieu of the petitioners, it had been resolved between the petitioners and the respondent that the formality of a trial should be gone through, so that the respondent should hold his seat. That is the allegation of the petition. It must be borne in mind that this was not a private case; the petitioners were

not acting for themselves, but for the public as the trustees of the public. I need not say that in any case of a purely private nature, the law always views with favor any compromise that may be entered into between parties for the settlement of their dispute; but that principle does not apply to cases in which the public are in any way interested. The law provides that in all cases in which the public are interested, no agreement shall take place between the parties, except openly, and in full sight of the Court. This is a principle of common law, and it is also specially provided for in the 54th section of the Controverted Elections Act, which reads as follows:—

"An election petition under this Act shall not be withdrawn without the leave of the Court or Judge (according as the petition is then before the Court, or before the Judge for trial) upon special application to be made in and at the prescribed manner, time and place.

"No such application shall be made until the prescribed notice has been given in the Electoral District to which the petition relates of the intention of the petitioner to make an application for the withdrawal of his petition.

"On the hearing of the application for withdrawal, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the Court or Judge to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition."

Now, there can be no doubt that if the petitioners had resolved to withdraw their petition, and not to prosecute any further the contestation they had entered into, they would have had a perfect right to do so. But, as I said, they were trustees for the electors of the county of Richelieu, and if they chose to abandon the trust they had taken upon themselves, they were bound to notify their principals, so that the electors of the country, if they chose, might go on with the case. As I have said, it was quite competent for them to abandon that position, but if they did so they were bound under the terms of the law to give notice to the public. If they had given notice to the public, if they had placed an announcement in any newspaper that upon such a day they would apply to be relieved from the position of petitioners in this case, then, as the petitioners now before the House say, they themselves would have come forward and would have asked to be substituted. Now, what were the means adopted of carrying out this agreement, of preventing the investigation made, and preventing at the same time the public from interfering, and any other elector from coming in and being substituted for the original petitioners? There was a mode adopted—I know nothing about it, except that the petitioners say this was the mode adopted—that is to say, resort was had to a mock trial. The proceedings under the law were a sham; witnesses were called who proved nothing of the charge brought against the hon. member, and the proceedings had the effect of confirming the hon. member in his seat. This is the charge brought under the petition; it is not an election petition as the hon. President of the Privy Council has stated. If the facts alleged in the petition be true that there has been a corrupt agreement entered into between the hon. member for Richelieu (Mr. Massue) and the petitioners; and if it be true that this corrupt agreement was made, as stated in the petition, for a money consideration, every one must agree that a great wrong has been committed against Mr. Ritter, and that judgment was obtained in a fraudulent manner; then it is the duty of Parliament to deal with the case in the same manner. I understand the hon. President of the Council objects to the reception of this petition; but if it is clear on the face of the petition that the grievances set forth were true; that some wrong has been committed—and this is a wrong in my humble judgment—the petition is entitled to the favorable consideration of the House. So far as I understand, a petition is always accepted by the House when it sets forth a grievance, though the House might come to the conclusion that it is not expedient to grant the remedy which is sought; and in my experience every petition that has been presented has always been received, except

Mr. LAURIER.

where the prayer clashed with the law of the land or the rules of the House. If this petition, as the hon. President of the Council states, clashed with the law, it cannot be received; but if the petition sets forth a grievance for which there is no other adequate remedy contemplated in the law, then the petition should be received. What would be the remedy which the House could apply in this case I am not prepared to say at this moment. The hon. President of the Council objects to the petition because it is an election petition, that it is sought under it to re-try the county election of Richelieu, to prefer again the charges of corrupt practices which were brought against the hon. member for Richelieu (Mr. Massue). Nothing of the kind is intended or sought for, and if the hon. gentleman had carefully read the petition he would have seen that such was the case. I feel bound, as the hon. President of the Council has taken that line of argument, to read to the House extracts from the petition. The petition first sets out the election; then it goes on to say that the election was controverted:

"That on the 4th November, 1878, a petition was filed at the office of the Clerk of the Superior Court, at Sorel, the *chef lieu* of the District of Richelieu, by two duly qualified electors, namely: Jean Jacques J. Bruneau and Joseph Pottier, machinists, of the said Town of Sorel, in the said electoral district of Richelieu, contesting the election of the said Louis Huet Massue, for corrupt practice, both by himself and by his agents and praying that the said election should be declared void, and the said Louis Huet Massue disqualified in accordance with the law.

"That on the day fixed for the hearing, namely, the 24th November, 1879, the Court, then presided over by the Hon. Mr. Justice Gill, dismissed the two petitions for want of evidence, with costs against the petitioners in each case respectively.

"That your petitioners have since learned, and are in a position to prove, that the suit which took place on that day, in respect of the petition of the said Jean Jacques J. Bruneau and Joseph Pottier, against the said Louis Huet Massue, was not decided, after hearing both parties, in good faith as between the said petitioners and the said Louis Huet Massue; but that, on the contrary, the said suit was carried on by collusion and in bad faith between the said petitioners and the said Louis Huet Massue, with the view of preventing a hearing in respect of the corrupt practices with which the said Louis Huet Massue was charged, the voiding of his election and his personal disqualification.

"That your petitioners have since learned, and are in a position to prove, that on the day fixed for the hearing of the said petition, an arrangement existed between the said petitioners and the said Louis Huet Massue, by which it was agreed that the said petitioners would produce no witness, to the end that final judgment might be given dismissing the said petition, and that it was in consequence of that arrangement that no witness able to prove the allegations of the said petition against the said Louis Huet Massue was heard on behalf of the said petitioners, and that the said petition was dismissed.

"That to induce the said petitioners not to cause any witness to be heard who could prove the allegations of the said petition against the said Louis Huet Massue, the said Louis Huet Massue did then promise to pay, and has in fact since paid, both to the said petitioners and to various other persons, considerable sums amounting to several thousand dollars, wherein were included even the costs which the said petitioners were adjudged to pay by the judgment dismissing their said petition, and also all costs on both sides of the said petition of the said Louis Huet Massue against the said George Isidore Barthe his opponent.

"That no notice was ever given by the petitioners, or the said Louis Huet Massue, of their intention not to proceed to the proof of the facts alleged in the said petition.

"That if such notice had been given, your petitioners and other electors would at once have applied to the Court to be substituted for the said petitioners, and would have proceeded to prove the allegations of the said petition in as much as your petitioners truly believe that the said Louis Huet Massue was elected by means of corrupt practices by his agents and by himself personally.

"That the said Louis Huet Massue took his seat in your honorable House and sat there during the whole of the last Session and is now there sitting during the present Session; that nevertheless from the knowledge that they have of what occurred at the last election in the electoral district of Richelieu, your petitioners truly believe that the said Louis Huet Massue has no right to the seat occupied by him, and that the hearing of the said petition filed against him would have demonstrated the fact, and would have resulted in the voiding of the said election, and the disqualification of the said Louis Huet Massue.

"That the said Louis Huet Massue, by preventing and impeding, as he did do, the trying of the allegations of the said petition prepared against himself, thus obtaining from the Court the dismissal of the said petition, did in that way prevent the electors of the said electoral district of Richelieu from effectually contesting his election, and thus was enabled to continue to represent a constituency which he was not entitled to represent, and that by so doing, he did serious injury to the rights and liberties of the electors of the electoral district of Richelieu, as well as to the privileges and dignity of your honorable House;

"Wherefore your petitioners pray that they may be permitted to adduce before your honorable House proof of the facts hereinbefore set forth, to the end that upon proof of such facts your honorable House may take such steps as it may deem just to indicate the rights and liberties of the electors of the electoral district of Richelieu, as well as its own privileges and dignity.

"And your petitioners will ever pray.

"SOREL, 13th December, 1880."

It is plain that under this petition it is not sought to prove before this House the charge of corrupt practices made against Mr. Massue. I apprehend that, in the present state of the law, no election can be contested by the persons and in the manner contemplated by law. The petition does not say that Mr. Massue has been guilty of corrupt practices, either by himself or by his agents, but it simply says that in the opinion of the petitioners there has been fraud committed and a corrupt agreement arrived at between the petitioners and respondent in the case, thereby preventing proper trial under the Election Act. It does not follow that even if the investigation had been as full as possible, the election would have been voided; therefore the President of the Council can scarcely be serious when he states that it is suggested by the petition to again place Mr. Massue on his trial; but what they complain of is that there has been a failure of justice. Not only so, but they complain that a corrupt agreement was made, and that it has had the effect of preventing the electors of Richelieu from exercising the rights granted them by the State. In this case is it not clear that the independence of Parliament has been sorely interfered with, and the rights of the people trampled on? The hon. President of the Council argued that we could not interfere with a Judge's decision. The Judge was imposed upon; the trial that took place did not bring before him the facts of the case, and he was taken by surprise. If that were so, there must be a remedy, and where could that be found except in Parliament? So far as the reception of this petition is concerned, I will cite a case which is perfectly analogous. I have said, and I think the statement cannot be controverted, that when a subject of Her Majesty comes before this House with a petition setting forth a grievance, this House is bound to receive the petition, notwithstanding the fact that the prayer is such it cannot be granted. The hon. President of the Council says the petition cannot be received because the judgment of the Judge is final and cannot be gainsayed. I do not dispute that at this moment; but I contend that a grievance is set forth in the petition, and that that is sufficient to entitle it to be received by this House. The analogous case to which I refer is mentioned in the English *Hansard*, page 1186, vol. 194, third series:

"Sir EDWARD COLEBROOK presented a petition from certain electors of the counties of Peebles and Selkirk, complaining that, at the last general election, upwards of fifty of the voters had a qualification of an 'illusory character'; that arrangements were being made for largely increasing the same description of votes; and praying the House to afford a remedy. He begged to move that the petition be read by the Clerk at the Table.

Petition read.

Sir GRAHAM MONTGOMERY said, that the 50th clause of the Corrupt Practices Act, passed last Session, stated that no return of a member to Parliament should be questioned, except in accordance with the provisions of that Act. He would therefore beg to ask the right hon. gentleman in the chair, whether it is competent for any hon. member to present such a petition; the time for presenting election petitions being limited by the 50th section of the Corrupt Practices Act of last Session? He wished, therefore, to know whether the petitioners were not precluded by that Act from presenting this petition?

Mr. SPEAKER. As I understand it, the petition is not one questioning the return of a member. It merely sets forth a grievance which the petitioners think requires the consideration of the House."

This case is exactly the same. It sets forth an agreement. It does not question the ruling of the Judge on this question; it merely says that the Judge was taken by surprise and imposed upon. I may be asked, what will be the consequence; what will be the remedy? I would not be prepared, at this moment, to point out a remedy. That is a question for the due and mature deliberation of the House. But I would suggest that the petition be referred

to the Committee on Privileges and Elections for a thorough investigation, and that that Committee report to the House after they have investigated the facts. I would not go any further. My hon. friend (Mr. Mousseau) suggests that the petitioners could have a remedy before the Court. That would be well enough if this were a case to try according to the rules and procedure of Lower Canada; but I apprehend that under our law of Controverted Elections the Judge is simply exercising a delegated authority, which reverts to the House after he has made his report to Parliament. It may be, Mr. Speaker, that there might be some weight in the argument of the hon. member, that if the facts which are alleged here had been brought before the Judge before his final report to the House, and he had been shown that he had been taken by surprise and had been imposed upon, he might be asked to reconsider the case; but it seems to me that after the Judge has made his report, after the powers delegated him are exhausted, the remedy for the wrong which has been committed does not lie in his hands; but that it is to be sought at the hand of the authority which delegated the power he has exercised—that is to say, at the hands of this House. For the present I would not venture to suggest any other remedy than this one. Whatever may be the report of the Committee on Privileges and Elections, there is a point which must be quite clear and conclusive to the mind of every member of this House. It is this: If the facts herein stated are true, if it be proved that a corrupt agreement has been entered into between the plaintiff and the respondent for a money consideration paid by the respondent, then the seat which the hon. gentleman occupies in this House has been obtained through fraud, and it must be conclusive that the independence of Parliament has been violated, and the party guilty of that fraud is liable to the censure of this House. It may be said that it is a hardship that such an investigation should take place upon the simple representation of a petition. I know it is; but such a hardship is a consequence of a free state of Government. It is a hardship no doubt, if, after being in a court of justice in a suit brought against him by another person, and he gains it, he is compelled again to have the suit re-opened. But, Mr. Speaker, if the charge brought against the hon. member for Richelieu be true, if the facts be true, it is no hardship. While, if the facts are not true, the hon. member is entitled to the full protection of the House. The petitioners whose names are at the bottom of the petition are responsible for them, and if the charges advanced by them in this petition are false, they would be amenable to and receive the censure of this House. I therefore move, Mr. Speaker, that the petition be received.

Mr. OUMET. Mr. Speaker, I will only mention a few arguments in favor of the dismissal—to use a legal expression—of this petition. I suppose the question just now before the House is as to whether this petition may be received or may be considered by this House. The question before us now is the same as would be before a Court if a demur was raised to a petition, or any legal process. The principle upon which this petition may be received, or may be considered, rests on the fact that this House has within its jurisdiction the granting of the remedy asked for, and that the remedy cannot be obtained otherwise in any legal way than through this Chamber. I suppose, Mr. Speaker, nobody would ever have supported the reception here of the petition on an accusation which might be brought to the cognizance of the Courts, and if a remedy could be granted by the Courts, and if the facts stated in this petition can be dealt with, and a remedy given by the Courts, the petition cannot be taken away from the jurisdiction of the Courts and brought here nobody knows for what purpose. I shall not make any insinuations as to the purposes of the petitioners, but nobody knows for what purpose this

House should take these facts from the cognizance of the Courts and adjudicate upon them. I may say, Mr. Speaker, it has been granted by the hon. member who has just spoken, that if this petition is an election petition this House cannot take cognizance of it. Still I humbly maintain that this petition contains all the usual allegations of an election petition; that all the facts contained in this petition may be brought in the regular way before the tribunals mentioned in the Controverted Elections Act, and that the remedy does not lie with this House. Even in the prayer of the petition: "That the petitioners may be permitted to adduce before your honorable House proofs of the facts hereinbefore set forth to the end, that upon proofs of such facts your honorable House may take such steps as it may deem just to vindicate the rights and liberties of electors of the electoral district of Richelieu as well as its own privileges and dignity," the privileges and dignity of the House come next to the rights and liberties of the county of Richelieu. What are those facts upon which the petitioners want to adduce evidence? The petitioners allege first, that the hon. member for Richelieu was guilty of bribery during his election, by himself and through his son and his agent; but they say afterwards: "That the said Louis H. Massue took his seat in your honorable House, and sat there during the whole of last Session; he is there now, sitting during the present Session; and nevertheless from the knowledge they have of what occurred at the last election in the electoral district of Richelieu, your petitioners truly believe that the said Louis H. Massue has no right to the seat occupied by him." What is the fact they want to prove? Even supposing the hon. member for Richelieu had been guilty of corrupt practices during his election, these petitioners cannot prove such practices before this House. Let us suppose, for the sake of argument, that the trial was, as the hon. member for Quebec East has been pleased to say, a mock trial. That is not a fact that can be brought against him if he was not guilty of corrupt practices; and that he was guilty of corrupt practices cannot be proven here. Every one knows that these election trials are dangerous, not on account very often of the accusations that are made, but on account of the number of false witnesses every one can bring before the Court. Let us remember what has passed during this trial. Instead of their being presumptions of a corrupt or mock trial, instead of their being presumption that the lawyers and even the Judge were all bought, as insinuated, the facts related in the judgment—facts which cannot be controverted—are that these petitioners had full confidence in the hon. member for Richelieu, and in the oaths of his son and his agent, and after all these parties had sworn they were not guilty of corrupt practices, the petitioners decided to let the hon. member go. They did not attempt, after this proof, to raise the human devices which are used not only during elections, but also during election trials. I come back to the point I was making. What is it these petitioners want to do? To begin a new trial against the hon. member for Richelieu. They call on this House to allow them to bring witnesses before it to prove corrupt practices on the part of the hon. member; they wish to produce here evidence they should have brought before the Court. Is not this the very essence of an election petition. No petition can be received here unless the remedy be shown to be within the jurisdiction of this House. No election petition can be received by us when the remedy asked for can be obtained in the ordinary way indicated by the law of this country. If what is asked by this petition can be granted by the Courts, this House has nothing to do with it. If the hon. member for Richelieu were guilty of corrupt practices during his election and then bought off his accusers, bought off those who brought the petition before the Court, the latter fact, if proved, constitutes also a corrupt practice and comes under the 2nd sub-section of

Mr. OUMET.

section 9 of the Controverted Elections Act, which read as follows:—

"The petition must be presented not later than thirty days after the day of publication in the *Canada Gazette* of the receipt of the return to the writ of election by the Clerk of the Crown in Chancery, unless it questions the return or election upon allegation of corrupt practices, and specially alleges a payment of money or other act of bribery to have been committed by any member, or on his account or with his privity, since the terms of such return, in pursuance or in furtherance of such corrupt practice, in which case the petition may be presented at any time within thirty days after the date of such payment or act so committed; and in case any such petition is presented, the sitting member, whose election and return is petitioned against, may, not later than fifteen days after service of such petition against his election and return, file a petition complaining of any unlawful and corrupt act by any candidate at the same election who was not returned and who is not a petitioner, and on whose behalf the seat is not claimed."

Here is a case clearly laid down and the remedy indicated. Under the provisions of this section the petitioners may make the complaint, which is made in the present petition and obtain the remedy. The hon. member for Quebec East (Mr. Laurier) says: 'No; they cannot,' and I am of the same opinion. Why? Because the time has elapsed within which these parties were obliged by law to bring their petition before the Courts. It would be an absurd proposition to say that such petitions might be allowed to come up against any member of this House, two or three years after the time provided by law, and one which I do not think anybody would entertain for one moment. That, however, is exactly the proposition which has been made by the parties to this petition. There is another reason why this petition should not be received; it may be a lawyer's argument, but notwithstanding it may be so much the better for a good many members of this House. If this petition were brought before a Court I say it should not be entertained, because on its face it appears that the facts mentioned in it have taken place more than thirty days before the petition was presented. The Court would say this petition cannot be received, because it was not filed in proper time. It is not alleged in the petition that the facts have come to the knowledge of the petitioners just before the presentation of the petition; in fact they have been known to them for two years. Another argument against the reception of the petition is, that it was presented last year and then withdrawn. Now, what is the presumption? In law I should say that that would be sufficient to prevent a new petition from being brought before the House, and the presumption, according to the notions of common sense, is that the allegation set forth in the petition, and which are the same as those in the petition presented last year, could not be sustained by the evidence offered to adduce. And what are we asked to do by this petition? We are asked to say that the judgment rendered by the Hon. Judge Gill, who was the President of the Court during the trial, as well as the lawyers and the parties, have all been bought. Not only so, but without proper evidence we are asked to say that the depositions of the hon. member for Richelieu (Mr. Massue), his son, and his agent, who is one of the principal citizens of Sorel, were false, that they all committed perjury, for that is what is insinuated in the petition. I say that the reception of this petition by the House would be to admit that an hon. member of this House whom we have had here for two or three years, and who has been declared by the Courts of his country perfectly innocent, had really perjured himself, and was really guilty of the charges which were made in a petition, which is signed by irresponsible parties. I say that when such an accusation is brought before the House against an hon. member, and when another hon. member asks that the petition containing such allegations shall be received, I say that that member ought to render himself responsible for the truthfulness of the accusations that are contained in the petition. The hon. member for Quebec East should stake his honor, in some degree, in taking such a course against the hon. member for Richelieu.

Mr. CAMERON (Huron). I have a word or two to say on this question. The hon. member for Laval (Mr. Quimet) concluded his speech with an observation which I think he ought not to have made. I do not think there are contained in the petitions any allegations that the hon. member for Richelieu (Mr. Massue), his son, or his agent, were guilty of perjury. That is not the ground upon which the present petitioners invoke the interference of this House, or an investigation at the hands of Parliament. It appears to me that the position taken by the member for Quebec East (Mr. Laurier) is clear and plain; and, in my humble opinion, the propositions he made to the House have not been answered, and are, in fact, unanswerable. The President of the Council Mr. Mousseau in anticipation of, and the hon. member for Laval after the speech of the hon. member for Quebec East, take the ground that this is an election petition. That this is substantially an election petition, and being an election petition that it is not a proper subject for enquiry by this House; that the matter having been disposed of by the law courts the petitioners have no right to come to Parliament for redress. It may be admitted, for the sake of argument, that if this were an election petition in which the petitioners were claiming the seat for Mr. Barthe, that it would not be a fit subject for inquiry here, and that the petitioner having resorted to the Courts, should be tried by the highest of the Courts. But I submit that there is not a word in this petition that affects the seat of the hon. member for Richelieu. By way of introduction and recital some statements are made with respect to the petition that was presented before the Election Court, but these allegations are only there by way of introduction. The real charges of this petition are embraced in two or three clauses of it. For the purpose of showing that the rights of the seat are in no way involved, I will read the first clause bearing on that question:

"That the proceedings before the Election Court were not carried on in good faith between the petitioners and the sitting members, but that, on the contrary, the said trial was carried on loosely and in bad faith between the petitioner and the sitting member, with the object of preventing a trial of the charges of corrupt practices against the sitting member."

There is not a word there that affects the position of the case up to the time of trial. What Mr. Massue did, or what his agents did, is not alleged in that petition as a ground of complaint. The ground of complaint is that the enquiry into the conduct of Mr. Massue and his agents was stifled by collusion and fraud. The next allegation that has any bearing is in the following words:—

"That the petitioners can prove that on the day fixed upon for trial, there existed between the petitioners and the sitting member an agreement by which it had been stipulated that the petitioners should bring forward no witnesses so that the petitioners should be dismissed, and on that account no witnesses were brought forward."

Now, there is not a word there that affects the relative position of the parties up to the day fixed for the trial. The allegation is that by a corrupt agreement made between the petitioners and Mr. Massue the whole investigation was stifled. There was a mock trial, the administration of justice was impeded, and on this ground it is asked that Parliament should interfere.

"That in order that the petitioners should call no evidence to prove their petition, the sitting member had then promised to pay, and has in fact since paid, to the petitioners considerable sums of money amounting to several thousand dollars, in which sums were the cost of the petition presented against Mr. Massue, the sitting member, and the cross petition presented against Mr. Barthe, the contestant."

Now, these are the three allegations, and they are substantially these: that by a corrupt agreement between the sitting member and the petitioners, that petition was not investigated in good faith, that the sitting member agreed to pay as part consideration for not calling witnesses, not only the costs of the petition which he filed against Mr. Barthe, but the costs thrown upon Mr. Barthe by the

dismissal of the case. In the case to which the hon. member for Quebec East has referred, the allegations were strongly in favor of the position taken by the President of the Council. In the petition presented to the Imperial Parliament there were some allegations that might be considered as affecting the seat of the sitting member. There it was alleged that the sitting member was elected by what is called in Scotland "faggot votes"—bogus votes; that he got fifty bogus votes; and that the political party opposed by the petitioners in that constituency had made an attempt to manufacture more "faggot votes;" and that if the sitting member were unseated and a new election ordered, these manufactured "faggot votes" would be used. There was an allegation that directly affected the seat. The attention of the Speaker was drawn to the point that it was substantially an election petition, but the Speaker said that there being no claim to the seat it was not an election petition and therefore could be received by the House. There is another case to which I would draw your attention that has some bearing on this point. It is the case of the Rochdale election. There was a petition filed against the sitting member. The matter was under investigation as to the right of the sitting member to the seat. It was charged that an attempt was made to keep a material witness of the petitioners out of the way. It was alleged that one of the friends of the sitting member had offered a bribe of £50 to this witness to absent himself from England and go to New Orleans for the purpose of escaping from the necessity of giving evidence in this investigation. The charge was that a conspiracy had been entered into between the sitting member or his friends and the petitioners; that the witnesses that were necessary for the purpose of establishing the charge in the petition were not to be called, by collusion between the sitting member and the petitioners or the petitioners' friends, and, by collusion between the sitting member and the petitioners, and so in the case we are now discussing, it is alleged that it was agreed that in consideration of a sum of money, no witnesses should be called, and that judgment by default should be taken, dismissing the petition on the ground of there being no evidence, and the sitting member retained in his seat. In the English case a petition was presented to Parliament, complaining that a man, by the name of Johnson, had offered a bribe of £50 sterling to a witness, to induce him to leave England and go to New Orleans for the purpose of avoiding the giving of evidence in the case. A Select Committee was appointed to investigate the facts. But the motion of my hon. friend does not go that far. His proposition now is that this petition should be received by the House, so that subsequent action may be taken upon it after further consideration. That case appears to me to be clearly analogous to the one we are now discussing. If the English case was a fit subject for investigation, then surely in this case it is a fit subject for investigation, whether this alleged corrupt conspiracy between the sitting member and the petitioners did take place or not. If it did take place; if these people, by this corrupt agreement, stepped in between the respondent and justice, then surely it is a proper subject for inquiry here. If the sitting member is innocent, and if no such compact was made, he himself, ought to be the very first to court investigation. The fact that the matter has been before the Court, and that judgment has been given, is no reason why Parliament should not interfere. A precisely similar point came before the Imperial Parliament. A petition was presented to the Court of Sessions in Scotland against Sir Sidney Waterlow, on the ground that he had a contract with the Government at the time of his election. That petition was withdrawn for reasons best known to the sitting member. The electors were not satisfied, however, and at the next session of Parliament they presented a petition complaining of what had been done, and

the matter was made a subject of inquiry by the Imperial Parliament. I think the result was that Sir Sidney Waterlow had to resign his seat and go back for re-election. I say this is in no sense an election petition affecting the seat of the sitting member. It is a charge of conspiracy, of collusion, which defeated the ends of justice, and that the sitting member—whether guilty of corrupt practices or not—was a party to that collusion. Now, I submit that that is a fit and proper subject for investigation, and that it is the duty of the House to receive the petition. What will be done with it afterwards is another question.

Mr. LAURIER. I wish to say a word in answer to the hon. member for Laval (Mr. Ouimet), who has used language at which I must protest against at once. The hon. gentleman said I had insinuated that the lawyer who had conducted this case was bought. Now, I never said anything that could reflect either on the lawyer who conducted the case or on the Judge who presided at the trial. Of the lawyer, I never said a word; of the Judge, I never said a word but this: that this trial had been a farce, to which he had been made an unconscious party, and I think the hon. member was quite blamable, and did not act properly towards a colleague in this House when he attributed to me language that I did not use. I have nothing to say against the Judge; on the contrary, I know him to be a very honorable man, who would not lend himself to anything dishonorable. The hon. member for Laval heard me all through, and he had no reason to use the language towards me which he did, and which amounted to a slander.

Mr. SPEAKER. As this is a very important matter, perhaps the House will allow me to take time to consider it.

Hon. MEMBERS. Hear, hear.

#### EMIGRATION FROM IRELAND.

Mr. TROW enquired, Whether the Government have had any correspondence with the Imperial Government respecting the promotion of assisted emigration from the over-populated or distressed districts in Ireland? Whether information has been requested by the Imperial Government respecting the various Provinces of the Dominion as fields for emigration; and if so, has such information been furnished? If such correspondence has taken place between the Government and the Imperial Government; will it be laid upon the Table during the present Session of Parliament?

Sir JOHN A. MACDONALD. The Government have had correspondence with reference to the promotion of assisted emigration from Ireland, and those papers will be brought down. No information has been requested by the Imperial Government as to the various Provinces as fields for emigration.

#### JUDICIAL SALARIES.

Mr. BLAKE enquired, Whether it is intended to propose any measure relating to judicial salaries of Judges of the Superior Courts other than those of Prince Edward Island?

Mr. McDONALD (Pictou) replied in the negative.

#### TRANSATLANTIC STEAM NAVIGATION.

Mr. WELDON, in the absence of Mr. KILLAM, enquired, Whether any correspondence has taken place between the Government and any person, on the subject of steam communication between St. John, N.B., and Liverpool?

Sir JOHN A. MACDONALD. There has.

Mr. WELDON, in the absence of Mr. KILLAM, enquired, Whether, in the event of a subsidy being voted for a line of Mr. CAMERON (Huron).

steamers between St. John, N.B., and Liverpool, the Government will ask for public tenders for the service?

Sir JOHN A. MACDONALD. That is a question that cannot well be put. It puts a hypothetical case. The question should be first whether a subsidy will be voted.

Sir ALBERT J. SMITH. Perhaps you will answer that question.

Sir JOHN A. MACDONALD. You never answer a hypothetical question.

#### SALARIES OF ONTARIO COUNTY COURT JUDGES.

Mr. BLAKE enquired, Whether it is intended to propose any measure as to the salaries of the County Court Judges of other Provinces than Ontario?

Mr. McDONALD (Pictou). It is not intended to propose any measure as to the salaries of the County Court Judges, other than is contained in the resolution now on the Table of the House, and of which notice has been given.

#### MONUMENT TO THE LATE SIR GEORGE E. CARTIER.

Mr. TASSÉ enquired, Whether it is the intention of the Government to give effect this year to the resolution adopted by Parliament in 1873, in relation to the erection of a monument to the memory of Sir George E. Cartier, in acknowledgment of his services to the country?

Sir JOHN A. MACDONALD. It is the intention of the Government.

#### PERSONAL EXPLANATIONS.

Mr. HOOPER. Before the Orders of the Day are called, I would like, with your permission, Mr. Speaker, to call the attention of this honorable House to a paragraph in the Toronto daily *Globe* of yesterday's date. The paragraph is headed, "abusing the franking privileges," and is as follows:—

"A few days ago it was accurately stated in the *Globe* that a member of Parliament whose initials were 'E. H.' had been franking at the public expense circulars for a protectionist newspaper published in this city. It happens there are three members whose initials are 'E. H.' It is therefore as well to explain that the member franking the circulars was not Edward Holton, the Liberal member for Chateauguay."

Now, Mr. Speaker, the question is simply who are the three members whose initials are composed of E. H.? This paragraph states plainly that it is not the hon. member for Chateauguay (Mr. Holton), and on reference to the *Parliamentary Companion*, I find that the only other members are the hon. member for the County of Prince, Prince Edward Island (Mr. Hackett) and myself. Now, so far as I am concerned, the allegation contained in this paragraph is false, and I emphatically deny ever having at any time, or under any circumstances, abused my privilege of franking; and more especially as regards a circular in any paper in Ottawa for protection purposes. I presume the hon. member for Prince is quite capable of answering for himself.

Mr. HACKETT. The hon. member has called the attention of the House to this paragraph, and as he has, I presume, satisfactorily to the House, cleared himself of this charge. As it might be considered that I am the guilty party, I now rise for the purpose of explaining that as I have no connection with the paper, nor been requested by anybody to frank for them, so far as I am concerned the allegation is a falsehood. The matter really is not worthy of notice, and it is only because it has been brought up by the hon. member who has just spoken that I make this statement.

Mr. McINNES. I also rise to a question of privilege. I find in the Ottawa *Free Press* of yesterday there is an

editorial on the hon. member for Vancouver (Mr. Bunster), and in that editorial I find that the member for Yale (Mr. Barnard) and myself are represented as not having voted on the division on the amendment moved by the hon. member for Vancouver. I will read the article for the information of the House. After dealing with the absurdity of the motion of the hon. gentleman (Mr. Bunster), it goes on to say:

"Where was Mr. DeCosmos? Where was Mr. McInnes? Where was Mr. Barnard? Echo answers where. Sir John A. Macdonald, the only other representative of the Pacific slope, was present, but made no sign, though Mr. Bunster turned upon him a mute appealing gaze that would have moved a man of stone."

I need not tell this House that I was present, and that I voted against the amendment of the hon. member for Vancouver; so did the hon. member for Yale. I did so upon that occasion, and I am prepared to vote against it as often as it is brought down in this House.

Mr. BUNSTER. If the hon. member for Westminster feels aggrieved at having given a wrong vote for my motion, which in duty bound he ought to have done, it is no fault of mine; and if other hon. members were absent it was no fault of mine. If I saw fit to bring the motion before the House, it was my privilege to do so, and if this House and the country did not think fit to endorse my motion I could not help that. I made the motion in justice to a contract that exists. I brought that motion before this House to remind the House and the country of the contract between British Columbia and the Dominion, guaranteed by Lord Carnarvon.

An hon. MEMBER. Order, order.

Mr. SPEAKER. The hon. gentleman is a little out of order. It is very well for an hon. member to state that a report is incorrect, and, of course, any hon. member can correct anything which has not been well reported; but no new question can be raised.

Mr. BUNSTER. The statement in the paper is not correct.

Mr. McINNES. My object in bringing the matter before the House, was that it placed myself and the hon. member for Yale in a false position. No doubt there was an object in the article, as they must have known that I was in my place, as also the hon. member for Yale, and that we recorded our votes. I simply wish that the reporter of that paper may be more accurate in his reports.

Mr. SPEAKER. What I stated does not apply to the hon. member who has just spoken. He was in the right when he protested against what was reported—that he was absent from his seat the other day. He stated that he was present. Of course it is a question of fact. What I mean is, that when an extract from a newspaper is read, and the statement contained in it corrected by a member, no new question ought to be raised.

Mr. BLAKE. The hon. gentleman has a right to make this statement, but if this practice is to be availed of as extensively as it appears to have been availed of recently, we ought to have a new heading to our proceedings, "Motions for the correction of errors in newspapers." Seriously, I hope this privilege will be availed of with great discretion, because if, on both sides of the House, we propose to correct all the mistakes of newspapers, we shall have very little else to do.

Sir JOHN A. MACDONALD. I quite agree with the hon. gentleman that we ought to deal with these subjects with a great deal of prudence, and unless charges, seriously affecting a member in respect to his duties as a member of Parliament, the matter should be passed over as an error of the Press. The hon. gentleman is quite right from another point of view. He knows perfectly well that if the majority of this House were to attempt to correct all the errors of the

Grit press, no other business would be done during the twenty-four hours.

Mr. ANGLIN. If we attempted to meet all the false charges made by the organs of the hon. gentlemen opposite, I think all night would be occupied.

Mr. HUNTINGTON. If this practice relating to the reporter's gallery, which we all respect to a certain extent—and we respect the Grit reporters, although the hon. gentlemen opposite do not do so—is to prevail, the reporters' gallery must be considered a part of this House, and members must single out reporters and say: "You have said so-and-so, and I wish to controvert what you have said."

Sir JOHN A. MACDONALD. I quite agree with the hon. gentleman, and if any reporter who is allowed to come into the House to report the debates, adds to that position that of correspondent, and takes to slandering members or stating what is false, I think the House, in defence of its own privileges, should see that the reporter should be expelled from this House.

Mr. ROBERTSON (Shelburne). I rise to a question of privilege. In the report in the *Ottawa Free Press* of the speech delivered the other night by the hon. member who bears the same name as myself, that hon. gentleman is reported as saying:

"Mr. ROBERTSON (Hamilton) called attention to a pamphlet sent to his constituents with 'Thomas Robertson's compliments.' He had no objection to that hon. gentleman sending this literature, provided he stated it was Thomas Robertson, of Shelburne. (Laughter.) Hon. gentlemen might laugh, but forgery had been committed. He had collected two of the wrappers, which bore the initials 'T.R., M.P.' There was only one other gentleman who could sign these initials, and that was the member for Shelburne, and he had been assured by that gentleman that the signature was his. He passed on to charge the Opposition with pursuing an unpatriotic policy, and with having failed in their attempts to create an agitation."

I do not think that this is a correct report.

#### THE ESTIMATES.

Sir RICHARD J. CARTWRIGHT enquired when hon. members might expect the Estimates to be brought down.

Sir LEONARD TILLEY. Not before Wednesday next.

#### EMIGRATION TO THE UNITED STATES.

House resumed the adjourned debate on the proposed motion of Mr. White (Cardwell) for an Order of the House for a statement of the number of persons who have passed from Canada to the United States by way of Sarnia and Windsor, since 1st of January, 1880, and of persons who have within the same period come into Canada from the United States by way of Windsor and Sarnia, &c.; the motion of Sir Richard J. Cartwright in amendment thereto; and the motion of Sir John A. Macdonald in amendment to the said amendment was resumed.

Sir RICHARD J. CARTWRIGHT'S amendment that 1st January, 1870, be substituted for 1st January, 1880, was negatived.

Mr. THOMPSON suggested that a statement of those who went into the United States by way of the Suspension and the International Bridges be also asked for in the motion.

Mr. WHITE (Cardwell) objected to the suggestion, on the ground that reports had already been obtained from these particular places, and that if necessary they could be made the object of a subsequent motion. It was better this motion should pass as it stood.

Mr. ANGLIN said that when this question was first introduced, hon. gentlemen opposite asserted that the statements respecting emigration from Canada were grossly exaggerated. It was difficult to obtain precise information

because it was sometimes difficult to distinguish between emigrants and people who went to the States on business or pleasure with the intention of returning. Nevertheless, from his part of the country the number of people who left for the States last season was so much in excess of ordinary travel and of previous seasons, that no doubt could exist that a large emigration took place. The estimates varied widely, but the lowest showed a very high figure compared with previous years. The steamers on the line from St. John to Portland and Boston were crowded on every outgoing trip with Canadians, a large number of whom were the flower of our population, consisting to a large extent of skilled laborers. He had heard it stated that the population of St. John and Portland had decreased within some months by 6,000 or 8,000 souls. Clergymen of several denominations had told him they had observed a marked diminution in their congregations, and any one accustomed to the town could not help remarking the small number of people to be now met in the streets, in the stores, and around the wharves. But very few of those who left would return. True, some had returned to work in the boot and shoe factories, in which there was now more employment than a year ago, but the number who returned was very small. It was not an uncommon thing to see the steamers detained, waiting the arrival of a car or two car loads of people for the United States, from Nova Scotia, and various parts of his Province by the Intercolonial; and there was not a schooner, of the many that left every bay and creek of the New Brunswick and part of the Nova Scotia coast, for the United States, that did not carry some passengers who intended settling in there.

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

#### AFTER RECESS.

Mr. ANGLIN. It might be said, as it had been said, that of those who left the city of St. John during the years 1875-80, that a large number were those who came there to assist in rebuilding the city after the great fire of 1877. It was true, a very large number came from the United States in the fall of 1877, and probably some in the spring of 1878, but it was also true that nearly all of those people had returned by the close of 1878, and that few, if any of them, were included in those who left the city and neighborhood in 1879, when there was so large an exodus. But speaking of the great numbers who left, and many of them he feared never to return, he did not include at any time mere sojourners in the city. He spoke entirely of those who were either natives of St. John or of the Province of New Brunswick, or had lived there the greater part of their lives, and had hoped to spend the rest of their days there, but who were driven away for want of employment, or because, if they were employed, their wages were so low as scarcely to provide food for their families. They had heard similar reports from the Province of Quebec. They had heard from time to time that there were trains, with cars crowded with natives of that Province and others, who were residents of the Province, who were leaving to seek employment in the United States, many of them with the expressed intention of settling in the United States permanently. No doubt some of these had returned, but he was sorry to say that the number returning was small, compared with those who went away. But the most startling reports they had received were from the western districts, and the report of which was the subject of the resolution before the House. It would almost seem incredible that from that district, and from the ports of that district, so vast a number of the people of Canada could have gone out of the country to settle in the United States. The report, however, appeared to be official in its character, though its accuracy had been impugned. He believed the

Mr. ANGLIN.

hon. Minister of Agriculture some weeks ago had told the House that he had caused official inquiry to be made through one of the gentlemen employed in his department, and that that gentleman had satisfied himself that the figures were grossly exaggerated. But they had heard another account of that inquiry and its result. They had heard it stated that the United States official who had made this report to his Government, had treated as an insult to himself and his Government the inquiries made by the officer deputed by the Minister of Agriculture, and had insisted on the absolute accuracy of his returns. This much, however, was certain: that the returns which were now impugned by hon. gentlemen opposite, and ridiculed by them as being exaggerated and incredible in their character, were precisely such returns as these hon. gentlemen chose to rely upon for the four or five years when the Mackenzie Administration was in power. They had then pointed to the outflow of people from Canada during those years; and the average number which left during those years was very much less than the average number that had left for a great many years preceding which hon. gentlemen opposite were in power, though the number was larger than they desired to see leave the country. Those hon. gentlemen declared to all who chose to believe them—and many professed to believe them—that that outflow of population could be checked if only they were restored to power and afforded an opportunity of putting their great National Policy into operation. It was quite natural that they should now feel sore at finding that in this second year after they retired, in the year after the National Policy went into operation, the outflow of the people exceeded the outflow of any previous year—not merely during the Mackenzie Administration, but also during their own previous Administration—by so many thousands. It was the largest outflow that had ever been heard of in this country, so that it was quite natural that these hon. gentlemen should try to throw discredit on the official returns which showed such results. But in doing this they also attempted to throw discredit on the very figures which they themselves had relied on during the campaigns of the previous three or four years. In those years they had never heard the accuracy of these returns doubted; in those years they were wailing and lamenting over the deplorable fact that our people could not find employment in their own country; that our young men had no scope and verge for their ambition in this country; and that those who were enterprising were unwilling to be cribbed, cabined and confined in Canada, under a Government that did not know how to protect the country or promote its welfare; that did not know how to open up revenues of industry for the ambitious and enterprising young men of the country, who were, therefore, leaving it in such numbers. He thought it was to be regretted that objection was made to the amendment moved by the hon. member for Centre Huron (Sir Richard J. Cartwright). He thought if they would go into an inquiry on this subject at all, it should be a thorough inquiry; if they were to have the test applied to one set of figures, the same test should be applied by the same men to the corresponding figures, so that if they were found to be exaggerated in one case it might be ascertained if they were not exaggerated in the other. Then they would, at all events, be able to form some idea of the extent of the emigration of Canadians to the United States from that district, and by the ports of that district, however much they might differ as to its causes. Its causes were, he believed, multifarious. He would be sorry to hold the present Government responsible to the full extent for that extraordinary outflow of our population. He did not believe the Government could have prevented it no matter what they did, but at all events it had proved that the operation of the National Policy was powerless to check the outflow of our people to the United States, though these

hon. gentlemen had promised over and over again that it would check the exodus of our people to the American territories; and that so far from checking it, that outflow has enormously increased since their return to power. He trusted and hoped that now that the great business depression had passed away all over the country; that now that Canada, and even the city of St. John was enjoying better times, our emigration would not be so great as it had been. He trusted and hoped that a great many of those who had left would find it to their interest to return and to bring with them many valuable citizens to this country who, finding themselves contented with their lot in Canada, would be the means in their turn of inducing many others to follow their example.

Sir LEONARD TILLEY said he had some information which he was sure would be gratifying to the hon. gentleman who just sat down, with reference to the number of Canadians who had returned by the International line to the city of St. John during the last autumn. He had seen it stated in one of the papers that 150 people had returned by one boat, and he had asked the emigration agent there to interview the agent of that line of steamers, and to ask that gentleman to furnish him (Sir Leonard Tilley) with information as to the number who had returned by that line. He had been informed by Captain Chisholm that 2,270 persons had returned to Canada during the season by their line. It was true that quite a number had left early in the season, but the above number had returned by the International line alone. Without wishing to anticipate any financial statement, he might be allowed to quote from returns recently placed in his hands covering the first six months of the present fiscal year, as compared with the same period of the last fiscal year, giving the exports and imports of the Provinces. As regarded New Brunswick, if there had been a large emigration, there had been also a considerable increase in the consuming power of the population. For the first six months of 1879, the exports and imports amounted to \$4,563,660; whereas for the first six months of the present year they amounted to \$6,816,000. The exports were this year, \$2,684,000, against \$1,693,000 last year. Similar comparative statistics for the whole Dominion showed that if there had been such a tremendous exodus as was pretended, the returns did not indicate it. In the article of tea, during the first six months of last year, duty was paid on 6,062,000 lbs., while for the corresponding period this year duty had been paid on 8,098,000 lbs.; coffee, last year, 711,441 lbs., this year, 886,317 lbs.; dried fruits, last year, 282,824 lbs., this year, 495,142 lbs. Of molasses, consumed principally in the Lower Provinces, 40,000 gallons more were consumed in the six months of the present year than during the corresponding period of last year. It was true, doubtless, that on some of these items, some part of the consumption of the first six months of the present year had been taken out of the similar period of last year, but it still was quite clear that if we had a smaller population by reason of the exodus the consuming power of the population had been wonderfully increased.

Mr. WELDON said he would have liked if the hon. the Finance Minister had ascertained from Captain Chisholm the number of persons who had departed by the International line of steamers. No man who lived in St. John, and who had opportunities of knowing what was going on throughout the Province, could fail to see that great numbers of people had been emigrating from that Province. A man would have to shut his eyes to ignore it. For instance, last September he left St. John to go to the United States, and the Intercolonial train failed to connect with the western train, consequently when the next Intercolonial train came up there was a large number of people collected on both trains. Along with the conductor he endeavored to

ascertain the number of emigrants on both trains, and found there were not less than 125 going to reside in the United States, some from New Brunswick and some from Prince Edward Island. The hon. the Finance Minister had given returns of imports for the last two years. He (Mr. Weldon) would compare 1877 with 1880, and he found that whereas in 1877 the imports amounted to \$7,000,000, they were reduced in 1880 to something like \$3,000,000.

Sir LEONARD TILLEY asked if the former period was not that when everything was being rebuilt in St. John on account of the fire.

Mr. WELDON said he would begin with 1875, when the imports were \$9,853,000; 1876, \$6,013,000; 1877, \$6,917,950; 1878, \$8,474,000; 1879, \$5,338,000; 1880, \$3,996,000. That showed how the importations had fallen off during the last two years. Doubtless there had been an influx of workmen into St. John after the great fire, but that increase had been more than lost since by emigration. Anyone going down to the wharf of the International line of steamers, leaving three times a week, could not fail to see large numbers of persons easily to be recognized as emigrants, who had gathered up their household goods and were seeking homes in another country. In regard to the city of St. John he found that in 1878 the number of ratepayers who paid poll-tax on both the eastern and western sides were 6,331; where in 1880 the number had diminished to 4,973, a falling off in two years of about 1,350, representing a population of 5,000 people. Any person who travelled across the Bay of Fundy could not fail to see that a large number of people were leaving Nova Scotia by the American boats for the United States. On one occasion an American boat was detained two hours, waiting the arrival of 150 emigrants whom she carried off to the United States. For the first time in the history of New Brunswick, the annual increase in ship building which had been her experience for years, had ceased in 1880; and not only so, but the amount of money invested in that industry had actually diminished. And this had happened during a year when Providence had blessed the labor of the husbandman with an abundant harvest, and when, for the first time since 1873, good prices had been obtained for their lumber in Great Britain. In spite of the bountiful harvest and the revival in the lumber trade, this exodus was going on, and he could only attribute it to the policy which taxed our bread, our clothing, and every necessary of life, and compelled the laboring man to go where he could get higher wages.

An hon. MEMBER. In a country where the taxes are higher.

Mr. WELDON. But not to a country where bread was taxed. This exodus of our people was due to the policy of this Government, which took money out of the pockets of the people, not merely to increase the revenue, but to place it in the hands of monopolists.

Mr. MacDONNELL (Inverness) said that when this question arose the other day, he had heard with surprise from the Minister of Agriculture the statement that the emigration from the Dominion had not been greater during the past year than it had been in previous years. His own impression, so far as the Province of Nova Scotia was concerned, was entirely the reverse, and in order to ascertain what the emigration was, he had written to the agent of an American line of steamers running between Prince Edward Island and Boston, touching at the port of Hawksbury, in the county of Inverness. The agent of that line had replied to him that the number of passengers leaving that port was, in 1876, 436; in 1877, 447; in 1878, 373; in 1879, 484, and in 1880, 1,525. The number which had left in 1880 nearly quadrupled the number in any previous year during the past four years, although that year had been marked

with a bountiful harvest, particularly in the county he represented. The exodus from other counties must have been greater than from Inverness, because there was no county in the Province less affected by changes in trade. This, he thought, was satisfactory evidence of the melancholy fact that the exodus of the people from the Province of Nova Scotia was on the increase; and it was a sad commentary on the policy adopted by hon. gentlemen opposite, a policy which, to use the words of the famous resolution of the hon. leader of the Government, was not only to retain in our country our countrymen, but to cause our expatriated countrymen to return.

Mr. HACKETT said hon. gentlemen from New Brunswick and Nova Scotia, in their efforts to make it appear that there was a terrible exodus from those Provinces, were most industrious in collecting evidence. He knew that some people were leaving the Maritime Provinces for the United States; but why? In order to join their friends there, who had gone during the administration of affairs by hon. gentlemen opposite. He knew instances of farmers who had left Prince Edward Island in 1876 and 1877 for the United States, who had bettered their condition there, and who had written to their friends to sell out their property and join them. They were not driven out by the National Policy. He knew young men who, last year, had given up good positions worth \$40 a month, had gone to Colorado in the hope of making much more; but he expected them soon to come back. It mattered not whether a man went to the United States on business or pleasure, he was set down as an emigrant, forced to leave by the National Policy. He had travelled recently to Boston, with his wife and two children, on the line of steamers to which reference had been made; and he supposed he and his family had been put down as emigrants, driven out of the country by the National Policy.

Mr. SHAW said that too much had been made out of the emigration from Canada to the United States. He had occasion to visit Manitoba, and proceeded there by way of Duluth. He returned by way of the St. Paul and Minneapolis Railway, and on the cars there came a United States agent, who took a list of the passengers, enquiring where they came from. He (Mr. Shaw) stated that he came from Ontario, and had been in Manitoba; and he inferred that people who had gone from Ontario into Manitoba and returned to the United States were emigrants to that country. The agent had a book prepared with a list; and as the hon. members for South and Centre Huron, together with two County Court Judges in Ontario, were on board, they, together with himself (Mr. Shaw), were all entered as emigrants to the United States. He would like to know from the hon. members for Centre and South Huron whether their names were not also taken.

Sir RICHARD J. CARTWRIGHT. No.

Mr. CAMERON (Huron). No.

Mr. HUNTINGTON said he would like to know, from the Finance Minister down to the youngest member of this House, whether that practice prevailed a few years ago when hon. gentlemen were crying aloud and bewailing that there was an exodus from this country. If the hon. gentleman (Mr. Mackenzie) had been here he would have arisen and given the House the benefit of his experience and would have shown that he was not driving the people out of this country. The hon. gentleman from Prince (Mr. Hackett) who had spoken just now had explained to the House how it was that there was no exodus going on, except a few friends left behind of the many whom the Mackenzie Government had driven out of the country. The discussion of that question should be approached in a spirit above party, for it was one which, if based on facts at all, was a serious matter, and one which demanded serious

Mr. MACDONNELL (Inverness).

consideration. If the fact was as stated a few years ago by the right hon. gentleman now at the head of the Government, that the exodus prevailed because the taxes were not high enough, and if although he has since been in power and raised the taxes, believing he could pin the people to the soil, then, the right hon. gentleman having tried his remedy and failed, hon. gentlemen opposite should acknowledge that their denunciation of the policy which they said was driving the people out of the country was a mistake; they should arise and seek to remove the impression they created then, and acknowledge it was a mistaken policy by which they attempted to remove the evil. He was amazed at the Finance Minister, who had a reputation which he thoroughly accorded to the hon. gentleman, of being a man who ought to be, and could be, if he was living in good company, a candid and fair man. He thought when the question was introduced that hon. members would rise above party, for if they could not rise above the influence of partizanship the fact was not creditable to the House, and that the Finance Minister would offer some reasonable explanation; that he would admit there was an exodus and that he was sorry for it. Instead of doing that the hon. gentleman rose and spoke about some steamship information by which he declared he was able to know some people had returned to St. John. Did the hon. gentleman wish the House to know that the body of emigration was in our favor? Did he wish the House to understand that our expatriated countrymen were returning? If not, why should he have referred to the fact at all. Why should he not have dealt fairly and candidly with this question, instead of in a captious and pettifogging spirit? Why did he not admit that the remedies had not been successful, and that the people had not been kept in the country, instead of making a statement in which he was careful not to commit himself to the statement which he dare not make—that the National Policy was keeping the people in the country and remedying the misfortunes which existed during the hard times which went before. Hon. gentlemen opposite had had plenty of opportunity for trying their remedial measures. They have had years of prosperity, such as the Mackenzie Government never enjoyed. They have had those years of prosperity, having come into power under the promise that they would remedy the evils which were said to exist, the chief of which was an exodus of our people, and which continues with an increasing tide under the National Policy; yet the Finance Minister rises with a bundle of papers and declares that policy is justified because a certain number of people have returned to St. John, though he knows they are only a fraction of the people who have gone from there as well as elsewhere. Hon. gentlemen opposite state that the people should not believe statements made about the exodus. But it was the duty of statesmen to look at facts as they exist, and to find remedies for evils, and if hon. gentlemen on the Treasury Benches found that the same state of things exists to-day, as existed when they were in Opposition, and that the National Policy had done nothing to relieve it, it should occur to the Finance Minister whether there were not some people in the country whose position should be ameliorated, and who should be wed, as it were, to the country, besides the manufacturers to whom the hon. gentleman had given so much attention.

Mr. POPE (Compton) said that when the statements of hon. gentlemen on the other side of the House who talked about the exodus from this country were disproved, in respect to one part of the country, they had to go down to St. John. Not one month ago they were declaring from the house-tops, on every occasion, that the exodus was from Port Huron, but there is not a word about Port Huron to-day. The Port Huron question was settled.

Some hon. MEMBERS. No.

Mr. POPE. Hon. members could not get over the figures, which were clear and explicit. They might read newspapers and letters from agents showing that a certain number of passengers had gone from Inverness or some other place, but it could be shown that they were, for the most part, going because they had business to do there. He believed they would find a greater number of passengers travelling from every port in this Dominion, last year, than had travelled during previous years; because there had been a general increase of business, and with increased business a greater flow of money; and, of course, when people got money they were found travelling. But he would tell hon. gentlemen that there was no exodus of any consequence from this country, at the present moment, and that there was a larger emigration from the United States.

An hon. MEMBER. No.

Mr. POPE said the hon. gentleman knew nothing about it. When people talked about emigration from this country, he could tell them that they did not take into account the immigration into this country from the United States. There was no doubt there was, and would ever be, emigration from this country into the United States, and the figures would show, if hon. gentlemen on the other side of the House would look at them, that what they disclose, and what they try to make the country believe about everybody who was leaving, was altogether incorrect. Of course, there was no doubt that the country being more prosperous now there were more passengers passing through Port Huron than some years ago.

Mr. CHARLTON said he had been amused at some of the reasons assigned by hon. gentlemen for the extent of immigration to the United States. Admitting that emigration did exist, the hon. member for Prince (Mr. Hackett) told the House that the people were going from Prince Edward Island to the United States because they had friends there. Their friends in the United States seemed to have a great attraction to them. That was one of the reasons operating powerfully in the matter of emigration to the United States. During the last eleven years something like 3,500,000 emigrants had gone into that country. Their friends were drawn to that country from Germany, Great Britain, Ireland, Canada, and other countries; and the hon. gentleman from Prince (Mr. Hackett), told the House that people were going there not because they were not doing well in their own country, but because they imagined they could do better in the United States. The hon. gentleman, as well as another hon. gentleman, informed the House that in their opinion the United States immigration statistics are defective, because, in their opinion, all travellers into that country were counted as immigrants. He thought, also, that the hon. the Minister of Agriculture advanced that opinion.

An hon. MEMBER. So they are.

Mr. CHALTON said they were not. The United States Customs authorities, when entering a person as an immigrant, inquired of that person his last place of residence, whether he was a citizen of that country, and his destination, and if he represented himself as an inhabitant of a foreign country, emigrating to the United States for the purpose of settling in it, he was entered as an immigrant. If the person was an immigrant his goods passed in free.

Mr. POPE. From the evidence given by Mr. Averil, those questions are not asked because it is a matter of impossibility in the limited time. It would take, he said, twenty men to do so.

Mr. CHARLTON said he knew that trains were detained long enough to enable the Customs officers to make the enquiries the law required, and these officers were not particularly scrupulous about detaining railway trains.

The following letter from the collector at Port Huron would bear out his statement:

"CUSTOM HOUSE, PORT HURON, MICH.,  
"COLLECTOR'S OFFICE, 29th January, 1881."

"SIR,—In reply to your enquiries as to the manner of obtaining immigration statistics at this port, I would state that it is the practice for the United States Customs Officers to cross the river to Point Edward upon the arrival of all passenger trains from the East. They then get on board the trains and examine all the hand baggage and parcels in the coaches, and at the same time ascertaining, as nearly as they can, the number in each coach. Announcements are made in each coach, that all persons from Canada will have to claim their baggage and effects upon the arrival of the train at Port Huron. Upon the arrival of the train at Port Huron all baggage from Canada is unloaded, and must be claimed by the owner, when it is opened and examined, when the owner is interrogated as to the place they are from, where they are going, and their intention to remain permanently in this country.

"All baggage of passengers from the Eastern States, passing through Canada, is manifested at the port; when the car leaves the United States the manifest contains a description of the package, together with a check number, this manifest is placed in the car, the car sealed by a United States Customs Officer, and sent in bond to this port, when the car is opened by a United States Customs Officer, who compares the contents of the car with manifest, and if found correct the baggage goes on to its destination without further examination. Two and sometimes three officers cross the river and upon arrival at this port, five and sometimes six officers are employed in examining and passing the Canada baggage, and it often takes an hour or more to make the examination on a single train. The Grand Trunk Railway furnish men to open baggage and to obtain such information as we may desire.

"All parties arriving from Canada with effects, intending to live here, have to make an entry of the same and make oath that they intend to become permanent residents in this country. Passengers going to Manitoba or other British possessions are not classed as immigrants, the furnish an invoice of value of their effects and bond is given for their delivery at their destination.

"We class all immigrants as from the country they started from, not as from Canada. Immigrants from Europe are classed from the country of their last permanent residence. The practice at the Great Western railway is the same, and quite a large number cross the frontier by teams as well as at the different points.

"Respectfully,  
H. N. BOTSFORD.

"To Mr. GORMAN,  
"Sarnia."

He hoped this information from the United States' Collector at Port Huron would satisfy the Minister of Agriculture.

Mr. POPE said there was no confidence whatever to be placed in it. He could prove that by the collector's own officials. His salary depended on the business he could get.

Mr. CHARLTON said it would be understood the hon. Minister of Agriculture, in his place in the House of Commons, discredited the statistics furnished by the United States' Customs officers, especially the one at Port Huron, also the authenticity and reliability of all American statistics.

Mr. POPE. No.

Mr. KIRKPATRICK. That is your statement.

Mr. CHARLTON said if the immigration statistics at the port of Port Huron were not reliable, as the hon. Minister of Agriculture would have this House and the country believe, then the immigration statistics of the United States were totally unreliable. He held that the statement made by the Collector of Customs at Port Huron was a satisfactory one. He knew from personal observation, having crossed Port Huron repeatedly, that two or three Customs officers boarded every train, that every passenger who had baggage was interrogated, and the utmost pains taken to ascertain the correct destination of these passengers.

Mr. BOWELL. I may give the hon. gentleman a little information as to the manner in which the United States authorities at Washington have obtained their statistics in one class that has come under my notice. They send to the Customs Department of this country to ascertain the amount of imports from the United States, and in every instance the amount has aggregated two or three millions more than their records showed. I merely give this as an instance to show they are not as infallible as the hon. gentleman would lead us to believe they are.

Mr. CHARLTON said they were not discussing imports. The hon. Minister of Agriculture said we were receiving a very large immigration from the United States. Had he any means of informing us what that immigration last year amounted to.

Mr. POPE. I have ; but not with me.

Mr. CHARLTON said he hoped the hon. Minister would not delay in producing it. He felt some curiosity as to the extent of the information the hon. Minister had on this subject. The United States Bureau of Statistics a few days ago issued their report on immigration for the six months ending 31st of December last, which gave the result of the immigration for the year. The annual report would not be issued for a few days yet. According to the report he mentioned, the immigration to the United States last year was not only unusually larger from Canada, but from all parts of the world. It reached 586,068, if any reliance could be placed on the United States statistics, but he supposed the hon. Minister of Agriculture would consider the report mere guess work. The immigration exceeded that of the three previous years. It was 125,000 greater than the largest immigration in any previous year in the history of the country. Over half of that came from Great Britain and her dominions. Great Britain furnished 296,025 ; about one-seventh—or 84,794 came from Ireland, and 134,728 are said to have come from the Dominion of Canada. That was for the twelve months ending 31st December, 1880. The increase in population of the United States during the last decade had been 11,594,188 ; the increase due to immigration had been 3,006,245, leaving 8,587,943 due to other causes. The increase by immigration during the last year was 70 per cent. as great as the average annual natural increase for the last ten years. The emigration from Canada to the United States—if these statistics were reliable—amounted to  $3\frac{1}{2}$  per cent. of the total population of the Dominion. Although those statistics were discredited, he believed that no hon. gentleman who had any knowledge as to the condition of affairs in Canada could be ignorant of the fact that a very large emigration had taken place to the United States during the past year. He believed it would be the testimony of every member of the House that in his own particular locality this movement had been greater than at any previous time. In his own locality the movement had been unusually large ; and while the population of the whole of Canada had decreased  $3\frac{1}{2}$  per cent. by this emigration, he had no doubt that in his own locality the decrease due to emigration to the United States was from 5 to 10 per cent. It was an indisputable fact that in many parts of the country the movement had assumed vast proportions. His business led him to visit the United States frequently, he had crossed the boundary at Port Huron he presumed a score of times during the last few years, and he had noticed great numbers of emigrants crossing at that port. He had seen loaded trains, a large proportion of whose passengers were emigrants for the western States—not only on the Grand Trunk Railway, but on the Great Western as well. He had seen the streets of Port Huron, of Saginaw, and of Bay City, thronged with Canadians who were moving over from their own country to the United States in large numbers. He had no doubt, from personal observation—from his own experience as an eye witness—that the figures which had been given as to the extent of the exodus were substantially correct. But he had not merely the evidence of personal observation, for any person travelling in Northern Michigan must be impressed with the fact that a large proportion of the population of that country were Canadians. He had made inquiries of intelligent men in Northern Michigan, as to the relative proportion of Canadians to the whole population, and he had never known any man put the proportion at less than one-fourth, and the best informed had told him that in that part of the State at least

Mr. BOWELL.

one-half the population, were Canadians. One of the principal newspapers in the west—a paper published in London—published a special edition for the benefit of its Michigan readers who had emigrated from Canada.

Mr. BOWELL. You do not mean to say that they have all gone in there within the last few years ?

Mr. CHARLTON said he was not saying that they had all gone in during the last two years, but he said the population of Northern Michigan was possibly one-half Canadian, that the accession to their number during the last year had been immense, and that from what he had seen himself, and from what he had obtained from trustworthy witnesses, he did not believe the extent of the exodus had been exaggerated by the statistics which had been given. It was perfectly natural that hon. gentlemen on the Treasury benches should attempt to discredit the authenticity of the American statistics with reference to this matter. He did not claim that these statistics were absolutely correct, but he did claim that they were substantially correct. He had no doubt from the evidence of his own eyes that our population were drifting away from us with great rapidity ; he had no doubt that we had lost last year 134,000 souls by emigration to America as the statistics of the latter country demonstrated. And these men who were crossing over were the very flower of the population of this country—not the old, the decrepit, or the infants, but men in the very prime of life. In Northern Michigan they would find one-half or two-thirds of the stalwart men who were engaged in the lumber woods there were from Canada, and they would find that in Minnesota, Dakota, and the other Western States, Canada contributed the best kind of immigrants. The United States pointed with pride to the fact that they received more immigrants from Canada last year than from Germany ; that of the 586,000 they received as immigrants from the whole world, nearly 135,000 were from Canada, and they had no objection to receiving such immigrants still more rapidly. They were offering every inducement to bring them there, and it certainly spoke little for the wisdom of the policy adopted in this country that this emigration movement should continue so large and increase so rapidly. He thought that hon. gentlemen opposite, instead of attempting to discredit the well authenticated reports of American officials ; instead of taking refuge behind the plea that the information was false ; instead of insulting the officials of a powerful neighbor, might better own up that their policy had not increased the prosperity of this country—own up that in consequence of the policy they had adopted, our population was drifting away from us. It certainly was drifting away from us. He believed these statistics were correct, notwithstanding all the assertions that the Minister of Agriculture might make to the contrary. He believed that the statistics of the Collector of Customs at Port Huron were to be relied upon, and that the Minister of Agriculture has cast on that officer a needless taunt and a gratuitous insult.

Mr. WHITE (Renfrew) said, that if hon. gentlemen opposite were sincerely desirous of preventing the exodus of which they had heard so much they would refrain from so repeatedly presenting to Canadians the advantages of settlement in the United States, as they had been persistently doing since the advent to power of the present Government. They all knew that, during the last two Sessions of Parliament, these hon. gentlemen had been doing their best to point out to our people that the advantages presented by settlement in the United States were much greater than could be offered to settlers in Canada, and surely they did not imagine that statements of this kind made by leading politicians on the floor of this House would have no effect. If these hon. gentlemen believed in these statements about the

extent of the exodus to Canada, they should also believe that that exodus was largely due to their own efforts in this House, in drawing attention to the great advantages for settlement possessed by the United States in comparison with Canada. He believed it would be shown, when this matter was finally settled before the Committee on Immigration and Colonization, that the statements made by hon. gentlemen opposite, with reference to this exodus, were entirely unfounded in fact. It would be shown, he thought, from the evidence of those who were connected with the collection of statistics in the United States, that it was utterly impossible for one man, or for twenty men, to collect accurate statistics of the exodus at the port of Port Huron. It would be shown, from the returns of the Great Western Railway and the Grand Trunk Railway, that those statements were greatly exaggerated. No member of this House ought to know better than the hon. member for North Norfolk, that a large number of the lumber operatives in Northern Michigan were Canadians who went to the United States in the autumn of the year and returned in the spring. Mr. Speaker knows that a large number of Canadians went from his (Mr. Speaker's) section of the country to the lumber regions of Michigan in the fall and returned in the spring. He (Mr. White) had no doubt that every one of these operatives was counted as a Canadian emigrating to the United States, and he had no doubt that the hon. member for North Norfolk (Mr. Charlton) was aware of that fact. Even if the statements which these hon. gentlemen made were true, if they believed them to be true, but have a patriotic feeling in their breasts, they would not follow the line of argument which they have adopted in this House and before the country. Instead of endeavoring to weaken the hands of the Government, instead of endeavoring to show that the adoption of a National Policy had had the effect of driving out the population to a country where protection is still greater than it was here, if hon. gentlemen opposite would endeavor to show the advantages the people would derive by remaining in this country they would be doing more for the interest of this country than they appear to be desirous of doing.

Mr. FARROW said if we were losing 134,000 Canadians every year by emigration, as was pretended, it was high time we began to enquire into the matter. It was a fact that Canadians went to the United States to remain; large numbers went to remain transiently to work in the lumber woods of Michigan or elsewhere, but after earning \$50 or \$100 they came back again. The hon. member for North Norfolk (Mr. Charlton) had said that the American Customs officers visited every train crossing the line, and enquired of each passenger whence he came and whither he was going. He (Mr. Farrow) did a little travelling last summer into the United States and the North-West. By a strange coincidence he met on the route his two hon. friends from South and Centre Huron (Mr. Cameron and Sir Richard J. Cartwright). They took the boat at Kincardine, upon which were 300 second-class passengers all going to Manitoba. When they arrived at Duluth the United States Customs officers came along and examined their valises, their shirts and stockings, and everything they had. But not a word did he (Mr. Farrow) hear that officer ask any of these people as to where they were going. He simply did his duty and passed on. One would think that with such a prize as 300 emigrants the officer would have interrogated them, but he did nothing of the kind. Why, it was all bosh. The county of Huron had sent many families to Kansas and Dakota, and some of these families had had sad experience there. One of his neighbors who had gone to Kansas for the sake of placing his children upon farms, had sowed 100 acres of wheat last year which yielded him only ten bushels. That man wanted to come back now, and there were hundreds in a like position. In Minnesota this winter the cold had been so intense that

people had been obliged to burn their chairs and other furniture to keep themselves from freezing—and dare not get out of bed for several days. If his hon. friends opposite were patriotic, if they would praise up their own country instead of running it down like the hon. member for Centre Huron, we would see more Americans coming into Canada and fewer Canadians going to the United States. But for one family going to the United States to remain, there were ten going to Manitoba and the North-West. He ventured to say that the county of Huron had sent more inhabitants into the North-West than any other two counties in Canada. When his hon. friend from South and Centre Huron were in Manitoba they were toasted at a banquet in Emerson. Doubtless they felt pretty well and got off a little wind. He happened, by nice coincidence, to be not far away at the time. He had seen in their paper a report of their speeches on that occasion. The hon. member for Centre Huron told the people of Emerson how distasteful was the Government land policy, but before he got out of the country what did he do? Why, he bought five or six thousand acres of land, notwithstanding the great distastefulness of the Government land policy. Now, he would read for the benefit of the House—

Mr. CAMERON (Huron). What is the paper?

Mr. FARROW. Oh, you know it. It is your own Grit paper.

Mr. CAMERON. What is the name of it?

Mr. FARROW. It is not the *International*.

Mr. CAMERON. You told me the other day it was. I think it is yet.

Mr. FARROW supposed the hon. gentleman was satisfied with the authority. The hon. member for Centre Huron was reported as saying:

"I was most surprised, in the course of my progress through the magnificent country that lies to the west of us, to find a tremendous extent of most beautiful prairie land," &c.

Then he went on to say that the country was excellent, but the inhabitants were going out of it—that no less than 4,500 had gone out of Manitoba into Dakota. Yet he chose to buy land there. Then he went on to speak of his travels through that beautiful country—oh, such a fertile country!—with scarcely a house along the whole road, and all waiting for the settler to come along, but the Government's land policy kept them out. What was that policy? Every man could get 160 acres of land free, and could pre-empt another 160 acres. Was not that a good policy? Where could they get it in Dakota? Now, he wanted the hon. member for Centre Huron to get up and tell them where he got his statistics showing that 4,500 had left Manitoba for Dakota. He could not do it.

Sir RICHARD J. CARTWRIGHT. The hon. gentleman will find them if he examines the records of the Land Office at Pombina.

Mr. FARROW said he would guarantee that when these statistics were examined before the Immigration Committee, they would not be found correct. Why did they go there? The hon. gentleman had induced them to go when he was there.

Sir RICHARD J. CARTWRIGHT. They had gone before, I suppose.

Mr. FARROW said the hon. gentleman wanted more of them to go. He had said to them: "Gentlemen, look what this Government are doing. They tax you 40 or 50 per cent., instead of letting you buy from your neighbors. You ought not to be taxed thus; you ought not to trade with your Ontario brethren; you ought to go and leave your money with the Yankees;" and he advised them, to all intents and purposes, not to settle in that country which

was cursed with such a bad Government. Why, inhabitants of the North-West had told him (Mr. Farrow) that this was the best Government for Manitoba and the North-West that had ever existed, and had said "God speed their policy." Why was it this hon. gentleman made such unpatriotic speeches? Was it to get back into power? Well, he thought they would lay this country waste, and desolate and burn it up, if they could only thereby reach the Treasury benches. That seemed to be their whole desire, but he trusted that it would be many years before they realized it.

Mr. MILLS said one hon. gentleman had told them how very unpatriotic they were on this side of the House in alluding to the large expatriation of people from this country to the United States. It was singular that hon. gentlemen opposite did not discover the unpatriotic character of such a proceeding while sitting on this side of the House. There was on the Journals of 1878 a resolution proposed by the hon. gentleman now leading the Government, expressing his great regret that a policy had not been adopted which would induce the people of Canada to remain at home; and the hon. Minister of Railways, when asked in what way the people of this country could be prevented from emigrating to the United States, replied that a Government was unworthy to occupy seats on the Treasury benches that could not adopt a policy which would secure that end. These hon. gentlemen, by lamentations of this kind, succeeded at the elections and came to office. They had had control of public affairs for the past two years, and so far from the emigration diminishing it had gone on at an accelerated pace. True, the emigration from this country to the United States, during the five years of Mr. Mackenzie's Government, had averaged 24,000 or 25,000 annually, but during the five years hon. gentlemen opposite had been in office previously, it had averaged 42,000 annually; during the first year of their return, it had increased by 10,000, and during the last year, it had exceeded the emigration of the last year of Mr. Mackenzie's Government by 76,000. The hon. Minister of Agriculture, feeling the force of these statistics, undertook to deny them, saying that they were wholly unreliable. Well, the returns were made up now exactly as they had been before, and if they were exaggerated last year they were exaggerated in 1875 and 1876, when the hon. gentleman relied on them. The fact was hon. gentlemen opposite had not kept their promises to the public. They had excited high expectations, and the people had been disappointed. The increased prosperity of foreign countries had enabled Canadian merchants to deal more largely with them than before. What did the hon. Minister of Finance do? He came down to the House two years ago and proposed a change in the tariff, and he further proposed that the people should be prevented from importing as largely as before. He said we were impoverishing ourselves by buying too much from abroad, and he undertook to cure that by discouraging trade with foreign countries. In spite of the tariff the increased building operations in American cities had caused an enlarged demand for Canadian lumber. Our lumbermen had been enabled to employ a larger number of hands both in the woods and at the mills, owing also to the increased demand for lumber in the West Indies and South America; and it was to our improved foreign trade that our increased prosperity, so far as it had increased, was due. If the emigration had diminished during the past month or two, it was because of that foreign trade. The Minister of Finance had stated that the revenue had increased; that trade with foreign countries had increased, and that that increased trade, which he had undertaken to prevent by the increased tariff, was evidence of our prosperity. That prosperity was, however, in direct opposition to the policy which the hon. Minister had enunciated in Parliament and incorporated in the fiscal legisla-

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tion of 1879. The Minister of Agriculture had submitted statistics of the most preposterous character ever submitted to Parliament. The hon. gentleman undertook to state what the emigration was by a process in simple subtraction: so many people travelled by railway eastward and so many westward, and the difference between the two showed the number of people who had emigrated from Canada to the United States. It was perfectly obvious that no conclusion could be drawn, such as had been drawn by the Minister, from the statistics which he had submitted to the House. The hon. gentleman had affirmed that both sides of the House took an extreme view, especially hon. gentlemen of the Opposition. That bore a striking resemblance to the story of the colored man who remarked how much two ladies resembled each other, especially the one on this side. It was evident that this was a very disagreeable discussion for hon. gentlemen on the Treasury benches. They had formerly made loud complaints respecting the exodus, and during the elections of 1878 they raised a cry with respect to the extensive emigration, regarding which their patriotic feelings were very much excited. At that time the emigration reached 24,000 yearly; in fact, during the last year of the Mackenzie Government the number was 22,000—now it was nearly 140,000; but those hon. gentlemen did not complain; they decided it as unpatriotic to say anything about it. If hon. gentlemen opposite were honest in their declarations in 1878, they should call on their leaders to redeem the promises which they made to revive the trade and prosperity of the country. They had declared that this was in the power of a Government to do; although they of the Liberal party were under the impression that the prosperity of a people depended on the favor of Providence and their own industry. Hon. gentlemen opposite held that this was a mistaken view, and contended that a Government which adopted a proper fiscal policy could make the country prosperous in spite of the people or of Providence. The result had not been such as those who followed the present occupants of the Treasury benches had a right to expect. It had been anything but creditable to these hon. gentlemen, who, feeling they could make no defence, that they had disappointed the people, that they had excited expectations that could not be fulfilled, now complained that the subject should be in any way discussed.

Mr. McCALLUM said it appeared to him that gentlemen on the other side of the House could never learn by experience. They told the House, and wished the people of the country to believe, that during their reign on the Government side of the House, Canada was as prosperous as it is to-day. When they (the Conservatives) were on the other side of the House they had asked the Liberals to re-arrange the tariff, so as to assist the industries of the country, and thereby prevent, as far as possible, people going to the United States to seek employment. He had no doubt a great many people went to the United States. A great many young men went there to work at lumbering during the winter, but they returned in the spring. His hon. friend (Mr. Charlton) said he saw people crossing in armies at Port Huron into Michigan. He (Mr. McCallum) thought he had been as much as the hon. gentleman in that locality, as he did business there; but he had not witnessed the extraordinary exodus that was alleged to have taken place. He had seen, as he had stated, young men going there occasionally to work in the lumber woods, and he was satisfied that the hon. member for North Norfolk (Mr. Charlton) himself must have seen many young men leaving this country to go and work during the winter in the lumbering districts of the United States, and returning in the spring. This was the ground taken by the hon. gentlemen opposite, in support of their assertion that the country was not prosperous, and that they were flies on the wheel. They told the House that no legislation could assist the industries of the country; that prosperity was only owing to good crops; that they

never had good crops; that they were unfortunate. The people did not want a Government in power that was unfortunate. People will not employ men who are unfortunate. Did hon. gentlemen want to go back to the policy that they advocated and carried out when on this side of the House? Did they want them to go back to bad crops and hard times? He wished to know if the hon. member for Bothwell (Mr. Mills) wished to advance such an opinion. He (Mr. McCallum) wished he would, because then the people of Canada would hold him to account for it. He (Mr. McCallum) was very much amused, when on the Opposition side of the House, to see the hon. gentlemen opposite swallowing everything that was offered them, no matter what. It put him in mind of something he had witnessed about two years ago. Robins had built their nests on the verandah of his house, and the old robins coming to the young ones, the latter opened their mouths and whether a worm or a stone was dropped into them down they went. Hon. gentlemen opposite forgot that they were fed on stones, the chief of which was the free-trade stone, and a great many who had swallowed stones had sickened and died without being able to find their way back to this House; and even the hon. the leader of the Opposition had got a stone in his stomach and sickened for a time, but he got well and the electors of West Durham had sent him here. But hon. gentlemen opposite would not learn by experience, and the old bird was feeding them the same bad diet.

Mr. GIGAULT said the statistics of the American officials were not correct, and he could prove by an American journal that we could not rely on their reports. The *New York Tribune* of 31st January last, speaking of this emigration, said:

"It is commonly said that a large part of the emigration from Canada is of persons who have crossed the sea in vessels which entered Canadian ports, but who have either changed their purpose as to location, after a brief residence in the Dominion, or were originally intending to cross into this country, and to make their homes in the Far West. It would be interesting and useful to have the officials at Port Huron, where a great proportion of the Canadian immigrants enter, instructed to ascertain and report more minutely in regard to this movement."

It was thus obvious that the Minister of Agriculture had very good reason not to attach too much importance to the statistics of the American officials at Port Huron. It would prove very amusing to the electors of Quebec to hear what had been said by Opposition speakers to-night. According to them there was a great exodus from that Province, and that there was only desolation in that part of the Dominion; but the electors of that Province would affirm that there had never been so much satisfaction and contentment as there was now. Some strong Liberals who voted against him at the last election had told him they did not know how the Reform party could expect to obtain power when the National Policy was doing so much good. Yet hon. gentlemen on the Opposition side of the House continued to pretend that the National Policy was ruining the country. The Reform party had had occasion very often to appeal to the electors since 1878. The hon. member for Shefford (Mr. Huntington), who spoke a short time ago, knew something about that. Brome was not very far from his own constituency. It was represented in 1878 by a Liberal. Now it was represented by a Conservative. The Reform party had appealed also to the patriotism and intelligence of the electors of Charlevoix and Argenteuil to show that they were dissatisfied with the National Policy, and they knew what answer had been given to those appeals. Speeches and words would not make the electors unhappy. The only thing that would make them unhappy was the fear that the Reform party might return to power, and again introduce that ruinous free-trade policy which existed before 1879. That fear he thought, however, should not exist. The more the Reform party spoke against the

National Policy the more unpopular that party became. There was hardly any one without employment in the Province of Quebec to-day. He thought the usefulness of charitable institutions in that part of the country was almost gone. There were almost no poor there; those who could not formerly get employment obtained it to-day. He knew that new manufactures had started in his county and had sprung up in St. John, Montreal and other parts of Quebec. Money was so abundant that many farmers who had money and were willing to lend it at 6 per cent, could not obtain borrowers. The hon. member for Bothwell need not say there was disappointment among the people. On the contrary, there was great satisfaction with the policy of the present Government.

Mr. BOURBEAU. Mr. Speaker, it is well known that for a long time past the young people of Canada have been emigrating to the United States in order to find work. It is a well known fact that it is not long since manufacturers in Canada received any encouragement. The protective tariff adopted by the Americans had encouraged the manufactories of that country, and consequently had drawn away our young people seeking work. We have remarked that emigration to the United States has principally increased since the crisis came upon us in 1874. A tide of emigration then set in which it is not always easy to stop, but I think I am aware of the cause that induced a great many Canadians to go to the United States since last year. The American railway companies have largely contributed to that state of things; they have agents established all through the country, active agents for the sale of passenger tickets on their lines, and these agents were instructed to tell people that were in debt, people whose business prospects were not brilliant, people who had most suffered by the crisis that we have just got through—these agents were careful to tell them: "If you go to the United States, to such or such a town, the manufactories are in full operation, wages are good, you cannot fail to make a great deal of money, and you will come back in a couple of years with enough money to pay your debts and to purchase a fine farm." I have known persons who have allowed themselves to be led away by the fine speeches of these ticket agents, who went to the States, after having sacrificed the few goods they had, and who are now weeping and wishing to come back to Canada. But they cannot; they will be obliged to remain there some time yet; they will still have to know homesickness, with their families, in a strange land. I went to the United States myself, not with the intention of working there, but in order to verify the fact that more than the half of those who are there would fain see themselves back in Canada and wish they had never set foot on American soil. What most aggrieves these poor emigrants who have been drawn to the States by the insinuating speeches of the agents is to learn that our manufactories in Canada are now progressing, that new ones are being started every day, and that workingmen get better prices in Canada to-day than in the United States. I do not say that prices are higher, but they are more remunerative, because living expenses are less here, because in Canada they are at home and can practice economy much more effectually, and live much more happily here than in the United States. The hon. member for Bothwell (Mr. Mills) has spoken of the bankruptcies that have occurred in Canada within the last year. I think, Sir, that the bankruptcies that have occurred in Canada since last year are far from attaining the rate of bankruptcies that occurred during the time that the present Opposition were in power, that is to say from 1874 to 1878. The National Policy adopted by our Government has put new life into the business of the country. Our manufactories are filled with workingmen who had been long waiting for work, and we see great activity everywhere. Our leather manufactories are working on a great scale; we have to-day

an excellent market for Canadian manufactured leather, thanks to the protection that the Government has extended to these leather manufactories. We have great encouragement for boot and shoe manufactories. It is well known that during several years considerable efforts were made to promote the manufacture of leather in Canada, and you know, Sir, what great difficulties were met with. Protection, that has been granted by the Government, was wanting. To-day those boot and shoe manufactories are progressing rapidly, and increasing daily in numbers. That is a well-known fact that no one can question. Paper manufactories are also progressing and working on a large scale. Agricultural implements, such as shovels, spades, axes, mowing machines, and all other kinds of agricultural implements, are also manufactured in great numbers. Last summer the manufacturers of the articles I have just mentioned, could not furnish half the demands. I know a manufacturer who could not fill the orders he received; and I heard a manufacturer say that he could have sold 800 mowing machines over and above those he had manufactured. Is that a proof that the business of the country is decreasing because this manufacturer missed the sale of 800 mowing machines, worth from \$60.00 to \$80.00 each? The National Policy has been severely criticised, but it is less spoken of than a year ago. I notice that silence is pretty generally observed on this subject. Hon. gentlemen limited themselves to emigrants going to the United States, but they have not repeated this year what they said last year, to wit: that the National Policy was raising the price of articles of consumption in Canada. Well, after having looked over the tariff, and comparing the prices of articles of consumption, I see that it is precisely the articles upon which the heaviest duties were imposed that we are now buying at the lowest prices. I will take, for example, axes, upon which a duty of 35 per cent. was imposed, and I am in a position to prove that they are sold cheaper to-day than three years ago. I will take hats, upon which a duty of 30 per cent. was put, I can show that since the adoption of the National Policy we have in the country three manufactories of hats that we had not before; and I can, moreover, prove that hats are selling cheaper to-day than three years ago. I can also speak of cotton goods manufactured in Canada; and although the tariff has been raised about thirty-five per cent, I am in a position to state that cotton goods are selling in Canada, proportionately speaking, cheaper than in other countries; and the quality of cotton goods manufactured in Canada can compare with the cotton goods of any other country. The cotton goods manufactured in Canada is of better quality than the cotton-wares that used to be brought from Europe, and can compare favorably with the cotton goods manufactured in the United States. I might mention a great many other articles upon which a duty of thirty to thirty-five per cent. was imposed and that are now selling cheaper than when there was a duty of seventeen and a half per cent. put on them. One day I was speaking in public, in one of the parishes of my county, and a man who works in iron said to me: "With your National Policy you make me pay very dear for my iron; iron that we used to buy last year at \$2 per one hundred pounds is now selling at \$3.00; and that is on account of your National Policy." But I took the Tariff, and showed him that the duty on iron had only been raised about four and a half per cent. on one hundred pounds, and yet iron had gone up \$1. I met the same person later, when iron had gone down \$1, and I asked him if the National Policy had the result of putting up and putting down the price of iron. Of course, there will be fluctuations in the market; to-day iron may be very dear, to-morrow it will be cheaper, and we must not conclude that every increase in price is due to the National Policy. Well, Sir, all the agricultural implements that are made in Canada, and that are employed in this country for the cultivation of the land, the duty on all these implements

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was raised from seventeen and a half to thirty-five per cent., and yet the farmers who need them do not pay any dearer for them; on the contrary, as I have just stated, they are bought cheaper from the fact that they are made in Canada. If you go into a store, Mr. Speaker, you will see that on the shelves and on the counter, more than half of the goods—I am speaking of a general store—are manufactured in Canada. Before the adoption of the present tariff, before the adoption of the National Policy, there were on the counters American cottons, American shirtings, blankets imported from Europe, tweeds imported from Europe. To-day you can hardly find a piece of bleached cotton imported from Europe or the United States. All the cotton goods sold in Canada are for the greater part manufactured in the country. And after that, Sir, they tell us that the National Policy is driving people away from Canada; that emigration is on the increase; that the National Policy is ruining the country. How can that be explained? I would say to hon. gentlemen opposite make haste and speak of the emigrants that are going to the United States, for you will not be able to speak of them long advantageously; soon you will be obliged to speak of them no more, because we are drawing near to the end of this great emigration to the United States. As I said in the beginning, once the tide has set in it is difficult to stop it, but the National Policy is calculated to put an end to this tide of emigration. The increase in the manufactures of the country, the wages of the workmen that have increased from 75 to 100 per cent. within the last two or three years, and the settlement of the lands in the North-West, will impede the tide of emigration, for the Company that we have just entrusted with the building of the Pacific Railway will open up a splendid market for Canadian manufactures. We will soon see this tide of emigration setting in towards the North-West, and we will then have the outlet that hon. gentlemen were so anxious about when we adopted the National Policy. We have often been reproached with striving to glut the market. Well, we are going to open up a market for the surplus of Canadian manufactures. The opening of the lands of the North-West to settlement will draw a great number of immigrants from Europe. On reaching the North-West, the first thing these immigrants want is to procure the most necessary articles for furnishing their houses; they want a stove, they want cooking utensils, all these articles are manufactured in the country, and the National Policy will prevent the inhabitants of the North-West from purchasing them from the United States; so much the more so, that they will be able to get them cheaper here. The settlers in the North-West will require agricultural implements; they will need ploughs; they will need reapers and mowing machines, threshing machines; and these articles, where will they get them? They will come and purchase them in the older Provinces of Canada. Then we will see emigration cease; then the young people of Canada will find profitable employment in our home manufactures and will cease to go away. The heads of families will not be obliged to leave the country to go and earn money wherewith to pay their debts contracted during the hard times; times will have become better, and the fathers of families will not be tempted to change their position. Sir, I say that times will be better, but they are already better. What do we see in the country places as well as in the towns? We see the proof that times are much better, and I will show that such is the case from the fact that the money lenders, the usurers who were ruining the rural population, who were lending money at twenty, twenty-five and thirty per cent.—these money lenders, who have been the cause of a great many people going to the United States; these lenders of money at twenty-five and thirty per cent., cannot lend to-day at even eight per cent., money having become easier. The farmer can, therefore, sell his produce with more advantage. And if the farmers were, to-day, consulted and asked what difference there is between the prices they can

obtain for their produce now and the prices they were getting two or three years ago, before the adoption of the National Policy, they would say that, to-day, they are satisfied, but that before the adoption of the National Policy they were far from being so. And in the rural district, where I reside, I have often seen our worthy farmers trying to sell their produce to men who could have promised to pay, and who would have kept their promise, but without success. They could not even sell their goods on credit, and still less for cash. To-day, everything is selling for cash. Money was never more plentiful in the rural districts than it is to-day. I have not the advantage, Sir, of residing in town, but if I judge of what is taking place in the towns by what I see in the country, I should say that the townspeople must be satisfied with the result of the National Policy, because if, in the country, business is good, we are able to meet our obligations towards our furnishers in town. I consider that the rural districts help to increase the trade of the cities; I consider that the country is one of the most powerful feeders of the town; that whenever business is prosperous in the country, it cannot but be prosperous in the cities also. Mr. Speaker, I did not rise to speak upon the National Policy, but the hon. member for Bothwell (Mr. Mills) tried to insinuate that this policy had brought about a great many bankruptcies in the country this year. And I deemed it my duty to refute that assertion by saying a few words about the manufactories that are now in the country; by trying briefly to show the advantages of the National Policy, and by endeavoring to prove that, far from being hurtful to the commercial interests of Canada, the National Policy has been beneficial to the trade of the country. I think that I have succeeded in showing that the hon. member for Bothwell was wrong in stating that the National Policy had resulted in a great many bankruptcies in this country.

Mr. OLIVIER. Mr. Speaker, I will not occupy the time of this honorable House at any great length. I only crave its indulgence for a few minutes. The hon. gentlemen who have just sat down, the hon. member for Arthabaska (Mr. Bourbeau) and the hon. member for Rouville (Mr. Gigault), have shown us the Province of Quebec in an era of such great prosperity that it really pains me to contradict them. I, also, am happy to state that the Province of Quebec is in a prosperous condition; but there is one fact that is clear for everybody, a fact that one must be blind not to see, and that is that emigration from the Province of Quebec is constantly increasing, instead of decreasing. It is quite natural that these gentlemen should boast of the progress of the Province of Quebec, for during the elections of 1878 these gentlemen endeavored to establish that their policy would bring back prosperity to the country; and, to-day, in order to show that their arguments were good, they come and tell us that the Province of Quebec is enjoying a period of prosperity unheard of until now. Well, Sir, the fact that emigration is increasing in the Province of Quebec, as well as in the other Provinces is, I think, calculated to convince these gentlemen that the National Policy has not fulfilled the object they intended it to fulfil. In the Province of Quebec, as well as in the other Provinces, I think I am able to say that the National Policy has missed the mark; for one must be blind, or not go out of the house, not to see every day car loads of emigrants setting off for the United States. These gentlemen are pleased to state that these people are only going for a few days, and that they will come back later. But everyone knows, as well as I do, that nine-tenths of those who start for the States do not come back, but go to swell the population of the neighboring Republic. Hon. Ministers when questioned last year as to the remedy that could be brought to stop this scourge, answered that they knew of none; that by his very character the Canadian was apt to emigrate; and that they said that the people of the Province of Quebec

were still emigrating, in spite of the National Policy. Well, this year, and especially within the three months that have just elapsed, we see by American statistics that emigration has increased, and goes on increasing. Thus I think that hon. Ministers from the Province of Quebec, who are now sitting on the Treasury benches, and whose capacities are so much boasted of, would be acting patriotically if they sought for some means of preventing emigration. Unheard of efforts are being made to direct immigration towards the North-West and Manitoba. Far from blaming this policy, I congratulate the Government on having taken steps to encourage immigration to the North-West; but we should not forget the interests of our own Province; and these gentlemen, far from seeking to find some means of keeping our Canadians at home, especially in the Province of Quebec, do all in their power to induce the French-Canadians to emigrate to the North-West. Sir, help was asked for the construction of railways in the Province of Quebec, in order to aid the settlement of the valleys of the Saguenay and Lake St. John. What answer was given? The answer was that the question was under consideration, which was equivalent to saying that nothing would be done; that no help would be given for these railways. Well, Sir, I think that it would have been wiser, instead of inducing our people to go to the North-West, to aid the construction of these railways, which would have secured the development of a hundred parishes, that would contain thousands and thousands of people before ten years. I am far, Sir, from seeing the great prosperity mentioned by the hon. member for Arthabaska (Mr. Bourbeau). In my county there are not a great many manufactories; the county that I have the honor of representing is essentially an agricultural county, and the people are far from lauding the National Policy. The farmers ask themselves what good this policy has done them. Produce sells at better prices to-day because the demand in the American market is better. That is what we see; and it is only in the counties, represented by members who are friends of the Government, that these great changes are noticed. As for us, Sir, although we pay all possible attention to any changes that may take place, we have not yet seen that any has occurred.

Mr. BÉCHARD said he had not intended saying anything in this debate, but the speech of his hon. friend from Rouville (Mr. Gigault) impelled him to say a few words. He was surprised when he heard the hon. Minister of Agriculture attempting to lead the House to believe that the emigration of people from the Province of Quebec to the United States was almost *nil*; and he confessed his surprise was not a little increased when he heard the hon. member for Rouville sustaining the position taken by the Minister of Agriculture. It was well known to any man who lived in the Province of Quebec, that there never was, in the history of that Province, such an exodus as was witnessed from the fall of 1879 up to this moment. The hon. Minister of Agriculture, who came from Quebec, knew this but did not wish to admit it. He (Mr. Béchard) represented a county whose population was about 15,000 souls, and from that county, since 1879, over 1,000 people had gone to the United States. A very large exodus could also be said to have taken place from Rouville, and the several counties adjacent to his. The newspapers of both political parties had contained articles deploring the immense exodus from the Province of Quebec to the United States within the past two years. The hon. member for Rouville said the people were to-day well satisfied. He (Mr. Béchard) did not deny that. They had a very good crop last year and a moderately good crop this year, and the demand in foreign markets had been brisk so that the farmers obtained good prices for their produce. But the people understood this was not owing to the National Policy. They understood that when they depended on the foreign

markets for the prices of their produce, the high prices were not the result of the National Policy. The hon. gentleman said he had met Liberals in his county who told him they could not understand how the Liberal party could be dissatisfied with the results of the National Policy. If that hon. gentleman was to call a meeting in his county he could not get a majority of his constituents to pass a resolution endorsing the National Policy. The hon. gentleman referred to elections in the Province of Quebec within the last couple of years, as a proof that the people were satisfied with the National Policy. But he might have referred to the election which took place in his own constituency a year ago, in which the Liberal candidate was elected by over 250 majority, notwithstanding the great efforts and influence of hon. gentlemen.

Mr. HOUDÉ. That was for another Parliament.

Mr. BÉCHARD. The struggle was made on the same ground, in a great measure, as that which took place in Ontario, that is to say, on the ground of Federal politics. He (Mr. Béchard) did not attribute this great exodus to the application of the National Policy, but he would say the National Policy had failed to prevent it, as was promised two years ago and during the last elections.

Mr. ROSS (Middlesex) said hon. gentlemen opposite made a great mistake in attempting to discredit the statements made by hon. gentlemen on this side, in regard to the great exodus from the Dominion since a year or two. These statements were either true or untrue. To sustain the position that they were untrue we had simply the general statements of hon. gentlemen opposite; we had the reckless calculation of the hon. Minister of Agriculture who attempted to arrive at the extent of the emigration from Canada by deducting the number of passengers crossing the frontier into the United States from those returning. What had we to sustain the contention that the exodus does exist? We had, in the first place, very carefully prepared statistics from the United States, statistics prepared by Custom-house officers, who were, no doubt, quite able to discharge the duties of their office; we had statements which embraced not simply the general report of emigrants or of people passing from one country to another, but that gave details such as their last place of residence, their occupation, destination, &c. Statements prepared in this way with such care, which were made, not merely at the frontier ports of entry, but at all the Atlantic and Pacific ports of entry, which were sent to Washington, authenticated by the signatures of these Custom-house officers, were more to be depended on than the general statements made by hon. gentlemen opposite. These very statements had been quoted by hon. gentlemen opposite, during the *regime* of the late Administration, as a proof that the country was languishing, that the people were not prospering, that our trade was declining; and if hon. gentlemen made use of these statements fairly, as proving the existence of that state of things under the late Government, it did not lie in their mouths to refuse at least to pay respectful deference to similar statistics quoted on the opposite side of the House. This was a very serious question, the weight of the evidence, so far as he had been able to consider it, went to show that there was an alarming exodus. He believed that the facts quoted by hon. gentlemen on this side were sustained by similar asseverations in their own localities. He was not prepared to say what was the extent of this emigration from his own district, but he did say that he had no reason to believe that the population in the western part of Ontario was increasing very rapidly. He could go further and give many instances in which prosperous and well-to-do farmers had sold out and gone to the North-West. But there was more than that involved in the statement. It was a serious thing in a country like ours, with only a limited population, to be told that something like 100,000 people had left us during the last year. What did that represent? They

Mr. BÉCHARD.

learned from the reports of the Minister of Agriculture, that every emigrant to Canada represented a cost of about \$50, so that the loss of 100,000 people to the Dominion represented an annual loss to the wealth of the country of \$5,000,000 which was an alarming amount considered from that point of view. More than that, they would notice that every individual member of our population represented to the revenue of this country at least \$6 per head per annum; so that the loss of 100,000 people annually meant a loss to the revenue of \$60,000 a year. What he would have expected the Minister of Agriculture to have done, when these serious statements were made by hon. gentlemen on this side, would have been to make a careful investigation of the matter, so that he would have been able to place before the House reliable and satisfactory evidence that the exodus did not exist. The effect of this exodus upon those people who feel disposed to settle in our country must be injurious. Hon. gentlemen opposite must not blame members on this side if they called attention to the facts. The Government and its supporters were quite ready to call attention to the expatriation of thousands of Canadians as they called it, under the late Administration, and they said they were doing their duty as an Opposition in so stating their views with regard to the matter. Were hon. gentleman on this side doing less when they warned the Government that the expatriation was going on still, and at a very rapid rate? If the statistics of the United States Customs officers were correct they had the astounding fact that while, during the five years of the late Administration, 120,937 people left the Dominion for the United States, during the two years of the present Government, 130,602 had left the Dominion, or a greater number by 10,000 in two years, than during five years of the late Administration. Now, if this statement were true—and it was well authenticated—it required the earnest consideration of the Government—it required more than to be pooh-poohed by hon. gentlemen opposite. When the report went already to the Old Country that Canada was a country not to be desired, that it was a country from which our own people were fleeing, and fleeing rapidly, month by month and year by year, everybody knew what the effect would be, that we would receive less than our share of the immigration from Europe. Hon. gentlemen opposite said that members on this side should extol their country. It was not involved in this discussion whether they should extol or decry their country. They were dealing with a particular question, and the question was whether there was or was not such a large emigration as that to which attention had been called in the House. It was not a matter of importance at the present moment whether the exodus was due to the National Policy or to some other cause. The great question was did the exodus exist? And the answer to that question should be established by reliable evidence. He had here a statement from a newspaper published in Manitoba in the interests of the Government, in reference to one single party of emigrants that left in charge of Mr. Taylor of Ottawa. It was as follows:—

"Four hundred and ten Canadians left Ontario on Wednesday, October 8th, in charge of Mr. Taylor the Ottawa immigration agent and, of these, only about one hundred and fifty came to this Province. The remainder two hundred and sixty were distributed at various points of the United States, but principally in Dakota. The proportion, as nearly as may be, was one third to Manitoba and two-thirds to the United States. \* \* \* The start was made from Ottawa on Wednesday, the 8th October, at 8.30 a.m., and reached Brockville the same afternoon, where the train was fully made up and which here consisted of two baggage cars, seven passenger coaches, and some ten cars of freight and stock. Calls were made at Port Hope, Whitby, Toronto, and one or two minor places, which augmented the train to three cars baggage, ten coaches of passengers,—in which there were 410 souls. \* \* \* At Chicago the first break was made; nearly a whole coach of passengers getting off at that city. There was no more left the train until St. Paul was reached when a large number got off, having tickets via Northern Pacific for Jamestown, Mapleton and Fargo. A number of freight cars were detached there. The start from St. Paul was made with three baggage cars and nine passenger coaches only, the

freight and stock following nine hours afterwards. A few passengers having left the train at Alexandria and Glyndon, but by far the greatest number got off at Urookston, bound for Dakota, a couple of the baggage cars being also detached here. The journey was continued until St. Vincent was reached about six o'clock yesterday morning, when a considerable number more left the train for Northern Dakota. Not over 100 out of the original number came to this city and only about 150 to the Province."

He was quoting from the *Winnipeg Times*, a paper published in the interests of the hon. gentlemen opposite. These were statements made on the spot where the information, no doubt, was tolerably accurate, startling as it was. It was due to the opposition that the hon. the Minister of Agriculture, who had charged the late Administration with neglect of duty, in not stopping the exodus which he said then existed, to see now that the proper steps were taken to investigate and settle this question. If this exodus was taking place, then the Government should take steps to remedy the evil. This question ought to engage our serious attention. Such a drain on our population must have a very serious effect upon our future prosperity, and upon our ability to bear the heavy strain involved in the heavy financial burden now existing and to be increased. Last year they called the attention of the hon. gentlemen opposite to the peculiar advertisement contained in some pamphlets that were circulated under the authority of the Department of Agriculture. He was not sure that he might not be able to show that there was a connection between the pamphlets circulated so freely under the imprimatur of the hon. the Minister of Agriculture and this great exodus. The intention of these pamphlets, no doubt, was to disseminate information about the Dominion of Canada, but they did more, for they showed in the most tempting way, the great inducement which Dakota, Montana and Northern Minnesota offered to the settler. Was it possible that this large exodus from Canada was the fruit of the industry of the hon. the Minister of Agriculture in that direction? Had he been sowing the wind and reaping the whirlwind in this matter? Had we here a proof that the hon. gentleman was qualified to fill the high position he occupied, because he was capable of sending a large number of our population to a foreign country than in inducing foreigners to settle here?

Mr. COURSOL said the hon. member for Shefford (Mr. Huntington) had recommended the House to discuss this question from a high point of view, and not from a party point of view. It was to be regretted that his advice had not been followed by his own friends. The arguments of hon. gentlemen opposite were evidently aimed at the National Policy. He was not in a position to deny the statistics produced by the hon. gentlemen opposite, but he believed they had been greatly exaggerated, and would so be found if they were thoroughly sifted. There was unquestionably a large exodus from this country to the United States. Many reasons had been assigned for this, though, perhaps, they would not be equally convincing to both sides of the House. One fact which could not be denied, was that the great prosperity of the United States, and the high prices paid for wages since the last twenty months, had attracted a good deal of emigration thither. But it must be remembered that this movement was from a country moderately protected, to another country much more highly protected, and where the people were more largely taxed than we were. The National Policy was only in its infancy as yet, but it had already accomplished much in the way of encouraging manufactures. If, as he hoped, the present Government remained in power for a long time to come, and maintained the National Policy, he was confident it would accomplish very much greater results in building up native industries and affording employment to the people. No one will deny but that, in the Province of Quebec, this policy has built up numerous manufactories. In Montreal and other cities thousands of people had been

afforded employment in manufactories that had been established under the fostering care of the National Policy. What could be the reason given by hon. gentlemen opposite for this pretended exodus to the United States? Was it on account of the policy of the Government? Was it on account of our institutions? Was it because those hon. gentlemen had been painting in such bright colors the land of the stars and stripes? Or was it because the people of Canada were becoming less loyal and more Americanized than before? Were they leaving the country because they preferred American institutions to ours? He did not believe that. He believed the people of Canada were emigrating to the United States because they wanted money, and because some of them preferred the comparatively easy and well paid work of the manufactory to the laborious and precarious work of the farm. It was impossible to stop emigration in any country. The census of last year would show that even in the United States, emigration was taking place from the east to the west. It was a delusion to attribute this emigration to the National Policy, which hon. gentlemen of the Treasury benches might be proud for having inaugurated, and which the people would support them in maintaining. The hon. member for Iberville (Mr. Béchard) had cited the local election for the county of Rouville as an evidence of dissatisfaction with the National Policy. That hon. gentleman must know better than any one else how that election was carried, as he had, if he (Mr. Coursol) mistook not, taken a most active part in that election; yet he could not deny that the county of Rouville was progressing and had been benefitted by the National Policy. That election had nothing to do with the National Policy; not one word was said about the Federal Government; but the issue was a purely local one. Every means was used to defeat the candidate of the Local Government, and the opposite party knew what kind of corruption was exercised for that purpose, and what efforts were made to injure the popular and talented leader of the Quebec Government. That election was no test of the National Policy. The real tests were the elections which had taken place for this House since that policy had been inaugurated. In the Province of Quebec no less than five elections had taken place, within short periods of each other. In the counties of Joliette and Brome, the candidates favoring the National Policy were triumphant by large majorities; in the county of Bagot, the hon. President of the Council was elected by acclamation; in the county of Quebec, the hon. Minister of Militia was also elected by acclamation; and in the county of Montmorency, the National Policy candidate was elected by an immense majority, although it was predicted that the people there would go against it. These were facts showing clearly that the National Policy was the policy of the country. Hon. gentlemen opposite might say—and he supposed that explained the position they took now—that if they got back to the Treasury benches, and brought back free-trade, not one soul would leave this country for the United States. This was a question which should be looked into calmly, and coolly, with the view of finding some process which could be put into operation to stop this emigration; and if hon. gentlemen opposite could suggest such a process, they might fairly claim to be regarded as benefactors of their country. But he thought it was impossible. Canadians, like other people, emigrated when it pleased them, and when it was to their interest to do so; and he believed the only effectual way to keep them in the country was to maintain the policy we had inaugurated, to build up our industries and extend our manufactures, and from the moment we could give our people work all the year round, the country would prosper and the people would stay at home.

Mr. GILLMOB agreed with the last speaker that it was impossible for any Government to prevent people emigrating

when it was in their interest to do so. He had not heard any gentleman on this side of the House say that the National Policy had caused people to emigrate, and he did not think it had driven many people out of the country. The point taken by the Opposition was not that the National Policy had driven the people away, but that it had failed to keep them in Canada. Any hon. gentleman who had been in the House while the late Government was in power could not have forgotten the chapter of lamentations, mourning and woe expressed by hon. gentlemen opposite in regard to people leaving the country. They said that when they got into power they would build up the industries of the country, find employment for our young men, and that the exodus would be stopped. The Opposition claimed that the policy of the present Government had failed entirely; that in reality the exodus had increased. He did not know how much it had increased. He knew it was very hard for them to live in the country and feed and clothe their families. His hon. friend from Middlesex stated it was necessary for them to look this matter in the face. It was impossible for them to prevent people going to a country where they could better themselves. They did not claim that that could be done. They only remembered what the present Government had said when they were out of power, and only referred to the matter to prove that their assertions had been groundless. They had deceived the people with the cry that if they got into power they would give employment to everybody, and that no person would be compelled to leave the country. People were found leaving faster than ever. In the county he represented, in a great many instances the able-bodied men were going to the United States. He would like any hon. gentleman from New Brunswick or Prince Edward Island to rise in his place and say that the exodus is not greater than ever before. The hon. the Minister of Finance does not say that they are not going away by thousands, he only says that two thousand came back. He (Mr. Gillmor), would be surprised if any representative from New Brunswick would rise in his place and say that the exodus from that Province has not been astonishing. He believed it was the same with respect to Nova Scotia. He did not believe that any hon. member from New Brunswick, Nova Scotia, or Prince Edward Island would rise in his place and say the people were not going away in thousands. He had been informed that in two years 1,000 able-bodied men had left the county of Carleton; they could not leave at the same rate in the future. He did not know whether the National Policy would keep them there or not; but they were not there to go. He did not blame the Government for not stopping them. It was out of their power to do so, they cannot prevent them. It might be that increase of business would stop the exodus for the present, because it would give more employment. But will any hon. gentlemen have the hardihood to tell an intelligent people that they had anything to do with increasing the price of lumber. Would they dare to do it? No. What had they done to keep people in the country? The National Policy had started some manufactories, it had started one factory in the county he represented. It was a soap factory and gave employment to three or four men, but that was a small number of people in a county with from 25,000 to 30,000. Hon. gentleman opposite sing a different song now. Formerly the statement was dragged into every speech that the people were leaving the country. Now Quebec was quite satisfied, every body was well to do. Nevertheless, in Maine they were appointing postmasters who could speak French in order to meet the requirements of French settlers. People left the country to better their condition, because they received higher wages in the United States, and because it is more prosperous than Canada. He regretted the fact, but no Government could prevent emigration, but hon. gentlemen opposite when before the people at the last

Mr. GILLMOR.

elections endeavored to convince the people that they could do so. There was no policy, which a Government could adopt to keep its people within the country, except that of making the taxation as light as possible; and any Government which imposed heavy taxes humbugged the people and did not deal honestly with them. There had never been at any previous period in New Brunswick, such an extensive exodus as had taken place within the last two years; and no member from New Brunswick, on either side of politics could truthfully say to the contrary. In both Nova Scotia and New Brunswick the same state of things prevailed. Hon. gentlemen opposite did not wish to refer to this question now, and probably there was nothing practical to be gained by it; but it was pleasant as a set-off to the charges brought against the late Government. Our young people were emigrating to the United States, because it had a less burthen of debt than Canada. In spite of an enormous war, its debt was only \$38 per head, as against \$40 in Canada, without any war, army or navy expenses, while here taxes are imposed on the bread, fuel and clothing of the people. Yet the hon. gentlemen opposite still promise that a blessed time is coming. That had been the promise of the Finance Minister for twenty-five years. There was always a good time coming, if we lived long enough; meanwhile the public burdens were being rolled up, and the people were being crushed. The people were leaving the country, and they were acting rightly if they could better their condition.

Mr. WALLACE (South Norfolk) said that hon. gentlemen opposite were continually expressing regret at the great emigration from this country, yet they never lost an opportunity of giving publicity to it. It was desirable that the real facts connected with—if it was true—that statement should be brought down by the Minister of Agriculture, in which he promised to prove that the great exodus was not correct, as was alleged by the returns of the Custom-house officer at Port Huron. He (Mr. Wallace) could not agree with the hon. member for North Norfolk (Mr. Charlton) that there was a great emigration from the north riding of that county last year. The hon. member for North Norfolk has placed the emigration at from  $3\frac{1}{2}$  to 5 per cent. of the population. Taking the population of the county at 30,000, that would amount to from 1,000 to 1,500, or from 200 to 300 families. He could not believe that there was anything like that emigration from the county of Norfolk. He thought that the statistics would prove that that was altogether over-stated. The emigration from the country was not as great during the last two years preceding the advent to power of the present Government as it had been during the past two years. He thought if hon. gentlemen would reflect for a moment it would be very easy to account for that fact. They left their country to better their condition. Now, what was the condition of the American industries between the years 1873 and 1878? Every man knew that there was a commercial depression, that during that period workshops were closed to a very large extent. They know, as stated by the people of that country themselves, that the United States was filled with tramps. He would ask what inducement there was to any man to leave Canada and go to a country, where such a state of things existed, to look for employment, and go there without a hope of bettering his condition. He thought that fact alone would account for the lesser emigration during that period. The manufacturing industries of that country give a greater diversity of employment to our young men, who, not wanting to go into farming, find a better scope for their abilities. By developing the industries of this country, thereby giving employment to everybody, increasing the wages, and inducing immigration to the country, will be found the diversity of employment required to keep our young men here. That was what was contemplated by the National Policy, and

that he thought it was doing. Hon. gentlemen said that the country was being ruined. If that were true, if the industries of the country were not being fostered as they had been during the last two years, would the emigration from this country be less or greater? It would be greater, because if they could not be employed in the manufacture of goods in this country they would have gone to the United States, or some other country. He held that gentlemen, in arguing as they had, were illogical. They contended we were driving people out of this country by high taxation into a country where all admitted the people were higher taxed than they are here. The thing is a positive absurdity, yet these were the arguments hon. gentlemen opposite brought forward to show the exodus was due to the National Policy. What evidence had we that the country was more prosperous than it was. During the *regime* of hon. gentlemen opposite our trade and revenue declined. To-day both are increasing. Could we have better evidence of the prosperity of a country than the fact that its trade and revenue were increasing.

Mr. DESJARDINS. I am sorry to see the means that are resorted to in order to justify the position taken by the members of the Liberal party, with regard to the National Policy. They think to justify themselves by casting discredit on the Province they represent, and they endeavor to show that far from having derived any benefit from the introduction of protection, we are still in the period of depression. I am able to contradict that statement, because I am in a position to see what is taking place in one of the most important centres of population. I am ready to assert that, in Montreal and the neighborhood, not only there is no such emigration as is stated, but that, on the contrary, there is a homeward tendency. Every day we can see by the papers that property in and around Montreal is going up to former prices, that manufactories are being opened, that the manufactories abandoned under the policy of the preceding Administration are again working under conditions of greater prosperity than ever. And not only are former manufactories taking a new lease of life, but new ones are being established nearly every week. In the county that I represent, the manufactories have more than doubled; the great cotton manufactory at Hochelaga, that was established in spite of the indifference of the Liberal Government, has doubled within two years; and not only has it doubled, but they talk of adding another extension that will treble its producing capacity. On the other hand, in the western part of the same county all the manufactories are in full operation, and thousands of working men find there to-day steady and paying employment. We well remember, Mr. Speaker, that in 1874, 1875 and 1876, the working population was obliged either to abandon Montreal and the neighborhood or else to go and work on the Lachine Canal, that was then being widened, at 50 cents per day, that was paid to them not in money but in goods. If, during the last two years, there has been a continued and large emigration of working men from certain parts of the Province, it was in consequence of the policy adopted by the Liberal Government, and not on account of the policy inaugurated by the Conservative Administration. The present policy has the effect of repairing the evil, of stopping emigration that the policy of the Mackenzie Government did nothing to suppress. To day, thanks to the establishment of these manufactories, we see the houses that were abandoned from 1874 to 1878, once more inhabited; we see families again occupying these homes that were worth nothing to the proprietors that built them. At Hochelaga, for instance, not only are all the houses occupied, but they are obliged to build a good many more to meet the constant demands of the working people who come and swell the numbers of our population. Well, since such a movement is going on in the principal centre, it is evident that, by the very force of circumstances, it will spread to all parts of the

country. The establishment of manufactories, their prosperity, their capacities increasing to a considerable extent, the consumption in the country will also increase, and, consequently, agriculture, as well as all other industries, will soon profit by the prosperity resulting from this policy, and ere long we shall see the population of the Province growing; this movement of emigration, begun under the Liberal Administration, is coming to an end, and a homeward movement is springing up that will fill the void created in our midst by the scourge of emigration.

Mr. McCUAIG said the statements with reference to the the exodus from Canada were utterly fallacious. Any person at all familiar with the passage and transport trade of this country would laugh at the statements made here to-night by hon. gentlemen opposite to prove the Dominion was going to ruin because of the people leaving it for the adjoining Republic. With reference to the Federal debt of the United States and Canada he (Mr. McCuaig) had compiled from official documents a statement showing the true position of the United States and Canada up to December, 1879. The statements made here in this connection by some of our public men were highly improper, because such statements were calculated to injure Canada as a country. The hon. member for North Norfolk (Mr. Charlton) to use his own language, "urged that the country would not be populated as represented, and that the revenue anticipated by the Government from the sale of lands was greatly exaggerated, and taking the United States as a standard, he came to the conclusion this Dominion was on the verge of ruin," &c. He (Mr. McCuaig) would endeavor to draw a comparison between the financial position of the United States and this Dominion with a view of demonstrating that the fears of the hon. member were not well grounded. The total debt of Canada, on 1st July, 1879, was (see Public Accounts, pages 16 and 17) \$183,974,753; less sinking fund, cash assets, &c., \$36,493,683—net debt, \$147,481,070. To form a fair comparison as to our relative indebtedness with that of the Federal Government of the United States, we should deduct subsidies payable to Provinces, say \$3,442,764 annually, or representing an amount capitalized, at four per cent., of \$86,069,100. Net debt, irrespective of subsidies, \$61,411,970, of which Canada paid for the Administration of Justice in the several Provinces yearly, (see Public Accounts, pages 73 to 84.) \$511,782; for maintenance of Penitentiaries over and above the revenues derived therefrom, \$252,367; for the salaries of the several Lieutenant-Governors, \$73,000; making a total of this item of \$837,149, payable annually by the Dominion Government which, under the United States system, would be payable by the separate States. The capital sum represented by these payments was \$20,928,725, making a balance of debt of \$40,483,245, which under a system of Confederation similar to that of the United States, would be the total liabilities of the Dominion, on 1st July, 1879. Against this liability we had assets (see pages 27 and 28, Public Accounts): Welland, St. Lawrence and other canals, \$30,000,000; railways, including the Intercolonial, and the railways in Nova Scotia, New Brunswick, Prince Edward Island, &c., \$40,000,000; Pacific Railway expenditure to 1st July, 1879, \$13,000,000; expenditure on harbors and light-houses, \$4,000,000; expenditure on Ottawa Works, Grenville Canal, &c., \$3,000,000; purchase money for the North-West Territory, including expenditure of its organization, \$3,000,000; expenditure on Public Buildings at Ottawa, Dominion streams, roads, bridges, &c., \$4,600,000, say in round numbers, \$100,000,000. The public debt of the United States on 1st December, 1879, was \$2,068,849,545; and the Dominion debt on 1st July, 1879, deducting subsidies and allowances to Provinces, for comparison was \$40,482,342, or estimating the present population of the United States at forty millions, and that of the Dominion at four millions. The public debt of the United States would form a charge of \$50 per capita on their popu-

lation; while only \$10 per capita would meet the debt of the Dominion. He appealed with confidence to hon. members of this House that such an exhibit was sufficient to justify the course of the Government, and he held it justified him in the vote he had recorded upholding their declared policy.

Mr. BERGIN said two things were apparent from the method of treatment of this question by hon. gentlemen opposite. These were the depreciations of this country and its prospects, and the glorification of the United States. He was not surprised, therefore, that hon. gentlemen opposite should become not only annoyed, but infuriated, that any one should doubt the authority they produced from the United States in support of their statements and of their attempts to discredit their own country. The member from Charlotte (Mr. Gillmor) said hon. members on this side deprecated discussion on this question. Well, conducted in the tone in which those hon. gentlemen conducted it, they did deprecate it. Hon. gentlemen on this side believed their time could be better spent than in detracting from the merits of their own country, even if it was not as prosperous as it should be. He was glad a gleam of reason appeared to have shot athwart the mind of the hon. member for West Middlesex (Mr. Ross) who admitted we ought not to depreciate our own country; that if we published to the world that it was not a good country to live in, it was not to be wondered at there should be an exodus from it and difficulty experienced in drawing to it immigration from the older countries.

Mr. MILLS. Hon. gentlemen opposite did that for five years when they were in Opposition.

Mr. BERGIN said he could not admit that was true; but if it were these gentlemen who possessed all the wisdom of the country ought to be ashamed to follow an example of that kind. The hon. member for Middlesex differed from his leader, and he (Mr. Bergin) had hopes the hon. member would yet come to this side, when he told us that some incentive should be offered by the Government to induce our own people to remain here and people from the older countries to come in. These five years—bright for the hon. member for Bothwell—were spent by him and his colleagues in educating the people to believe that Governments were mere flies on the wheel unable to do anything to advance their interests. We were told by the hon. member for Charlotte (Mr. Gillmor) that our bread and fuel were heavily taxed.

An hon. MEMBER. It is true.

Mr. BERGIN said it was not true that the bread and the fuel of this country were taxed; and when hon. gentlemen made these statements they showed that they were true to their own instincts, though they were not true to Canada. They had these statements from hon. gentlemen who had not the same blood in their veins as the hon. member for West Middlesex (Mr. Ross), who said that if there was an exodus, he regretted it. When hon. gentlemen spoke of the exodus being so great, they spoke of something which he (Mr. Bergin) did not believe. So far as the exodus from Quebec was concerned, he knew of thousands from that Province, who were said to have gone to the United States, who had settled in Ontario. In Stormont there were two very large—he was going to say very large—settlements of French-Canadians, and they were worthy settlers, who were adding to the wealth and prosperity of that county. In his own town there must be at least 100 families of French-Canadians, and the people there welcomed them because they were among the most thriving and industrious members of the population. From the county of Soulanges, the first of the counties of Quebec adjoining Ontario, there had gone in December of last year, to the State of Ohio, a great many men to work in the lumber shanties, but they would come back in the early spring, bringing back money to assist in supporting themselves and their families during the year. Labor was becoming scarce in

Mr. McCuaig,

the United States; that country is not so full of tramps as it was a short while ago; and it will not be long, under the present policy of this country, before labor will become scarce here—very scarce—unless the doctrines of the hon. gentlemen opposite should be believed outside of the Dominion. It struck him that when the hon. member for North Norfolk told the House, with apparently the greatest delight, that the great bulk of the immigration into the United States was from Great Britain and her colonies; while he was telling the House of the exodus from Canada, that he gloried in the progress of the United States, and that the great business connection that he boasted of having with the United States led him to desire the increase of the population and the wealth of that country even at the expense of the country in which he lived. He (Mr. Bergin) did not think it came very well from any member of this House to depreciate Canada or to do anything which would bring disgrace or discredit upon her. He knew this was the policy of hon. gentlemen opposite, but it was a most unwise and unpatriotic policy. If there had been one thing more than another which had cropped up in the present debate it was that hon. members from Liberal counties were the only men that said there was any exodus to the United States. If the exodus to the United States was so great as these hon. gentlemen would have the House believe, were hon. members on the Government side so blind to the interests of the country as not to have discovered it? It might be that there was a large exodus from the Grit counties. He could well believe there was. If the laborers in the counties represented by hon. gentlemen opposite were told day by day, by men whom they regarded as leading men in the country, that this country was one in which the laboring man ought not to live, that his bread and his fuel were over-taxed, that it was impossible for him to make an honest living in it, was it to be wondered at that the laboring man should follow the advice of hon. gentlemen and go to a country which, according to them, was a better country for the poor man? Though he did not suppose that hon. gentlemen opposite would pay much attention to anything that came from this side, he would tell them—and they might depend upon it—that before two years had passed they would be taught by the people of this country that the way to their hearts was not by the defamation of the country and its Government.

Mr. YEO said he did not intend to have spoken on this question at this late hour, but he felt bound to notice some of the remarks which had been made by his co-member from Prince county (Mr. Hackett). That hon. gentleman had stated that not many people left that county except such as had been induced to leave by friends in the United States. In the campaign of 1878, that hon. gentleman was loud in proclaiming that the people of Prince Edward Island, from one end of the Province to the other, were leaving for the United States. He told the people that if they would only put his party in power and give them a chance of inaugurating the National Policy, prosperity would return, we would have a cheap country to live in, and our people would come back from the United States. Some people who were preparing to join their friends who had emigrated to the United States, were induced to remain, but to their great disappointment they found that their bread, their clothing, and nearly every other article they consumed, was taxed under that same National Policy. He (Mr. Yeo) believed, from his own observation, that for every person who left Prince Edward Island under the late Government, five were leaving it now, and they were not going there to get labor and return, but were selling their farms at low prices, for the purpose of becoming permanent settlers in the United States. He regretted very much that such was the case. In his own county he had tried his best to induce those who intended emigrating to remain, but to no purpose; the outflow still

continued. He had come up from the Island on two occasions this winter, and both times he had noticed many persons on the steamer who were bound to the United States. He had spoken to them in favor of going to Manitoba and had given them pamphlets upon the advantages of that country; but it was of no use. There were some people who had gone from Prince Edward Island to Manitoba and traveled over the whole of that Province and finally settled in Dakota, whence they had induced many of their friends to follow them. My hon. friend from Prince County (Mr. Hackett) must know this very well, as many of them were from his part of the riding. A great many more are preparing to go—a fact which I sincerely regret, for I do not make these remarks for any political purpose. The bulk of them are going from Prince county and from Queen's county.

Mr. MACDONELL (Lanark) said that a considerable exodus had taken place from his own constituency, though he did not attribute it directly to the Government. When the statement was made some time ago that upwards of 90,000 of our own people had emigrated to the United States, he was considerably surprised, and in order to ascertain how far that applied to his own neighborhood he wrote to the Grand Trunk agent at Almonte, T. W. McDermott, to ascertain the number of tickets he had sold. This agent was a Conservative and opposed him in his election. The agent answered that he had sold during the year 133 tickets to people going to Manitoba, and 316 to people going to the western United States. He had asked the agent how many of these returned to the country, and got reply that nine or ten had returned from Manitoba and about as many from the United States. He simply mentioned this fact, not as having anything to do with the National Policy, because it had not. The people leaving that section were not driven away by the National Policy. He would give the credit to the gentlemen opposite that, so far as his town was concerned, they were satisfied with the National Policy. When there were some nine or ten manufacturing establishments in his town, they had reason to be satisfied. But eastern Ontario was now thickly settled. There were very few openings for settlers, and as the young people grew up they looked around for the most advantageous country in which to establish themselves. Some went to Muskoka, some to Manitoba and others to the United States. Being asked the cause of so many people going to the United States, they had replied that it was because the land regulations in Manitoba were not as advantageous as those of Dakota. If a majority of our people went to the United States it remained for the Government to devise some means to prevent it. As was pointed out last Session, the land regulations in the North-West were oppressive, and settlers who had gone into our North-West had even crossed over to Dakota. These were facts which were for the Government to rectify. He simply threw out this suggestion, by no means in a party spirit, but as a reason why we should do something for our own people. If the hon. member for North Renfrew (Mr. White) would go into the southern section of his county he would find his own people by hundreds going to the western States, their farms being swallowed up by mortgages. It was unfair to charge the Opposition with being unpatriotic and decrying their own country because they pointed these evils out to the Government. When the Mackenzie Government was in power, and the then Opposition called attention to the emigration to the United States, he did not remember that they were charged with being unpatriotic. It was a patriotic duty to point these things out, with a view of finding a remedy; and the present Opposition would be unfaithful to their duty and unfaithful to their constituents if they failed to draw the attention of the Government to a movement of Canadians to the United States which all must deplore.

Mr. SPROULE said it was a little singular that all the testimonies of an exodus to the United States came from hon. members sitting to the left of the Speaker. That was not the experience of a large number of the members of this House. He had come to the conclusion that those hon. gentlemen who had this experience in their own neighborhoods, had become individual emigration agents in favor of the United States. He could testify that as concerned his own county, there was not such exodus as had been spoken of. A few years ago, when the country was going down, year by year, when the revenue was growing less, when our debt was becoming larger and our trade becoming smaller, when the people were seeking for bread and could not find it, the emigration to the United States began. At that time, the people out of employment here were not, as a rule, agriculturists, but people engaged in the various branches of manufacturing; at that particular time the manufactures of the United States were going down. But now, when a time of prosperity had come, and these manufactures were springing into life again, people who could not find employment here went there. A few years ago in his section of the country men could easily be hired for \$1.00 or \$1.50 a day, whereas last summer the same class of men got \$1.75, \$2.50 and sometimes \$3 a day, and were difficult to obtain at that. If, as the hon. member for North Norfolk stated, 10 per cent. of the people of his own locality had gone to the United States, and every man was worth \$40 to the country, he thought that hon. gentleman had a just claim on the Government of the United States for something like \$60,000 for having by his eloquence induced that large number of people to go to the United States. There was one argument which hon. gentlemen opposite would appreciate. They would find that the exodus among the Reformers of this country would continue, because they would believe them, and as they would ultimately be unable to find enough of that class of politicians to return them to this House they would probably be left at home. Some of the methods used in this House to prove that the people were going away were rather novel. The last speaker had stated that the number of passenger tickets sold was one evidence of the number. It was well known that if a person bought a ticket to Detroit, or some place in western Ontario, he would pay more, proportionately, for it than one to Chicago. Consequently, a great many people bought a ticket for a longer distance, and when they reached their destination sold their tickets. He thought that would account, in a large measure, for the number of tickets sold for the United States. He had crossed the line forty or fifty times, and he had yet to learn that any person went about taking account of the number of people who went to the United States and to Manitoba. A passenger was very rarely asked where he was going. But almost every train moving westward was infested with immigration agents working in behalf of the western States, and he believed the way they had diffused their information accounted, in a great measure, for the number of people going there. We might reasonably ask ourselves why they were going there. Hon. gentlemen opposite said it was owing to the National Policy. If so, they would be leaving a country with a 20 per cent. tariff for one with a tariff of 40 or 45 per cent. Again, it was said the land regulations of the United States were better than ours. That was not the species of argument adopted by the same gentlemen only a few weeks ago, when they were trying to show that the Syndicate would make a large amount of money out of the lands granted to them. They stated that although the lands of the western States were much inferior to ours, they had been sold for \$4, \$5, \$10, and, in some cases, as high as \$40 an acre. When we compared the prices of these lands with the prices the Government were asking for ours, we had the

best evidence to show that our land policy was much more liberal than that of the United States. Consequently, the people could not be going there to seek homes as agriculturists. The only cause he could assign for the emigration was the diversity of employment they found in the United States, and the commercial policy adopted in Canada was likely to accomplish the same result here. Again, our trade had increased year by year, and there was every evidence of prosperity, and every month the trade was larger than during the corresponding period two years ago. The failures had not been so large; the payment of accounts had been more regular, and there were few men out of employment. Those were the best arguments to prove the inaccuracy of the statements of the Opposition, made night after night, that the country is declining. The agencies established through the action of the Opposition afforded the only reason he could assign for the large exodus declared to be going on from the several constituencies as represented by members of the Opposition in this House.

Mr. HESSON said the question might have been much better discussed if the papers called for in the first instance had been brought down. A great deal of irrelevant matter had been introduced into the debate, and he would not have spoken except he had been pointedly referred to by an hon. member opposite. An inspection of the statistics published by Dun, Wyman & Co., showed: In 1877, failures 1,892 with liabilities \$25,523,903; 1878, 1,697 failures, with liabilities \$23,908,677; 1879, 1,902 failures, with liabilities \$29,347,937. The large number of failures in 1879 was, no doubt, due to the proposed repeal of the Insolvent Law. In 1880, the failures numbered 907, with liabilities amounting to \$2,012,783, or about 100 per cent. less in number and about 200 per cent. less in liabilities. That should be a very reasonable answer to any reasonable man as to the results of the National Policy. He was sorry to hear the exodus cry raised in the Lower Provinces. In his own county the population had largely increased, as well as the wealth of the people. In 1871, the last year of the census, it had a population of something over 25,000. The town he lived in, which had in 1811 a population of 4,386, had now more than 9,000; Listowell had increased in population from 976 in 1871 to over 1,800 to-day; Palmerston, which in 1871 was only a cluster of houses, not large enough to be called a village, had to-day a population of something like 2,000. The census when taken would show an increase of over 25 per cent. throughout the whole country. The same progress was noticeable in the adjoining counties. In the whole of his county there was not a vacant farm, and lands there were worth \$50 an acre. The National Policy had accomplished what was anticipated of it by its supporters. If it had not kept everybody in the country, it had not driven a man out. Most decidedly people would not leave this country to go to a country more highly taxed. The strongest point made against the National Policy was that it would impose a high taxation on this country similar to that in the United States. It was an absurd proposition to say that these people were moving from the country from the effects of the National Policy. He was not prepared to say but that probably some had left the country from the feeling that they had not accomplished all they had anticipated, but he was also prepared to say that there were now many thousands of people in this country earning a livelihood that would not have been able to do so but for the introduction of the National Policy.

Mr. BAIN said he had quietly listened to this discussion feeling all through that perhaps his own position on this particular question, differed from that of other hon. members on this side. When hon. gentlemen now on the Treasury benches occupied a place in Opposition to the late Government, they were never tired of stating that the emigration policy of that Gov-

Mr. MACDONELL (Lanark).

ernment was an extravagant one, and they even went so far as to say that they had more population in our country than we could offer remunerative employment to, and that we should therefore cease our efforts to induce immigration from Europe. This cry was repeated by their organs, and he remembered that some of the journals of his party felt inclined to indulge in that view. Remembering this, he had always felt inclined to stand by the Minister of Agriculture in his efforts to induce emigrants to settle in this country. Although he might have felt disposed to taunt these hon. gentlemen with going back on the promises and statements they made in Opposition, when they got into office, he had felt at the same time that the future salvation of this country depended entirely on our drawing to our shores as large a producing population as possible; but he could not forget that, while they were on the Opposition benches, these hon. gentlemen had told the Government that they were flies on the wheel, that they could not keep our people in their own country, and that Canada was going to destruction. They had told the people that if their party had an opportunity of inaugurating the National Policy all would be changed. But they found, to-night, that there was not one hon. gentleman on the other side who would venture the statement that the exodus from Canada was less now than during the regime of the Mackenzie Government. Hon. gentlemen were attempting to discredit the very same official returns which they had been in the habit of quoting against their opponents in days gone by. He (Mr. Bain) thought it was rather too thin for these hon. gentlemen to cover the defeat of their policy by alleging that facts which they found useful when the late Government was in power, were now utterly unreliable. How did the record stand when the hon. gentlemen opposite held office previous to the Mackenzie Administration? Did the exodus to the United States cease? By no means. He found, on looking at comparative statistics for the five years of the Mackenzie Administration and the five years previous, that the number of people who emigrated from this country to the United States during the Conservative Administration was double the number that left under the Mackenzie Administration. He looked forward with a great deal of interest to the development promised by the Minister of Agriculture, for the reason that if they showed the returns made last year to be exaggerated, it would be a source of great satisfaction to us all. Hon. gentlemen opposite admitted that there was a large exodus going on from the older Provinces; but they contended that it did not go to the United States, but rather to our own North-West. He admitted that the revival of business in the United States had much to do in attracting emigrants from this country. Only the other day he heard a gentleman quoting the increased wages paid in the manufactories of his own riding as a proof that the National Policy had benefitted mechanics, whereas if he had stated the whole fact he would have said that the employers of labor in that town had been obliged to increase the pay of the mechanics in order to keep them from going to the United States. It was not because the National Policy had increased the local business, but because better wages were paid on the other side of the line. Hon. gentlemen opposite could not dispute figures showing the amount of acres and the amount of money that had been paid for homestead pre-emptions in our own North-West. He had consulted a return brought down in relation to that matter, and he found that in 1879, 1,096,800 acres were pre-empted, and that the fees alone on the sales of that year for homestead pre-emptions amounted to \$34,706. In the return brought down to the end of the month of October of last season, which was practically the end of the emigration year, did they find anything to substantiate those glowing predictions made by the hon. Minister when he told us that by his scheme of appropriating 100,000,000 acres of land for the building of the Canadian Pacific Rail-

way 25,000 people would go into that country during the past season? Instead of the immigration rising to that figure he regretted to say that, including everything in the shape of land transactions, only 682,000 acres of sales, homesteads and pre-emptions, had been taken up, and the homestead fees had shrunk from \$34,000 to a small fraction over \$17,000 clearly showing a decreased immigration. That was convincing proof that there must be a screw loose somewhere in our land regulations in the North-West, and there must be a strong reason why there had been such an enormous shrinkage. People had been leaving the older Provinces, not for the North-West, but they had dropped off on the way and found locations on the other side of the border. But we had been told that the National Policy had created a great improvement in our condition, and one hon. gentleman had the coolness to tell us that, so far as breadstuffs and coal were concerned, we were not a taxed people at all. That hon. gentleman must have been exceedingly oblivious of the official returns laid on the Table by the Minister of Customs only a short week ago. They showed that half a million dollars were collected as a coal tax alone in the Dominion for the last fiscal year, and that nearly \$350,000 was collected on breadstuffs. On the single article of cornmeal, which was largely imported into the Maritime Provinces, nearly \$70,000 was collected last year. But had the National Policy given the agriculturists of this Dominion an increased price for their products? He found that their exports had risen very largely, from the fact that they had been favored by Providence with a bountiful grain crop. There had been a large increase of the exports of agricultural produce, animals, and their produce, to the extent of from \$14,700,000 in 1879, to \$18,500,000 in 1880, an increase of \$3,800,000; and the cash derived from the increased sale of produce had gone into the pockets of the farmers. They found that the exports of their grain had risen from \$25,900,000 to \$32,300,000, an increase of \$6,400,000 in one year. When this money was put into circulation increased prosperity followed, because he need not tell hon. gentlemen that when the farmer got increased crops he gets more money which, being put into circulation, paid debts, gave employment, and added materially to the substantial wealth of the country. But this could not be claimed as the result of the National Policy. It was the result of a bountiful Providence, notwithstanding the exodus of our population, which he regretted to see, and which he thought was the best proof that the National Policy had not been the panacea it was claimed to be. They had thriven in spite of the National Policy, and not in consequence of anything it had done for them. The hon. gentlemen now occupying the Ministerial benches when in Opposition said that if they got into power the prices of everything would be increased; the farmer was told that oats would be five to ten cents per bushel higher, and that everything would immediately receive a stimulus. But when they crept into office, and the expectations of the farmers and the people generally were not realized, they said: "Wait a little longer; everything will revive after awhile." He thought that those gentlemen ought to have come squarely down to business and admitted that they had crept into office under false pretences; but they meant to hold on as long as Providence favored the country with good crops. He regretted as much as any gentleman could the large exodus to the United States, and he commended to the careful consideration of the supporters of the Government that they were losing people from the older Provinces while it was patent from our diminished lands sales that these people were not taking up lands in the North-West. He asked hon. gentlemen to consider these facts aside from party issues, and he could assure the House that any efforts made by the Government in the direction of stopping the exodus that undoubtedly existed, and of attracting settlers to our North-West, would meet with his hearty support. He did not like to impute motives, but it

seemed to him that if the hon. member for Cardwell had been anxious to elicit all the facts he would not have been so anxious to confine his motion to this one particular point. He hoped before the Session was over we would have all the facts.

Mr. WHITE (Cardwell) said, as far as regarded this motion, it was a matter of indifference to him what effect the National Policy had on the country; but if the country was more prosperous than it had been, there must necessarily be more opportunity for the employment of labor; and we might ask these hon. gentlemen how they were going to account for the fact that there was greater emigration at a time when employment was more abundant and the country more prosperous than when it was less prosperous. The statement made by the hon. gentleman who had just sat down that this motion ought to have been more general in its character, was answered by the circumstances which gave rise to it. What caused the motion to be made was the statement to the effect that, at a particular point in this Dominion, a certain number of emigrants had passed into the United States during the year. If true that would mean practically the depopulation of this country, because it could not be supposed that all the emigrants from this country went out of it by that particular route. If we could establish that at the particular point selected as an illustration to prove the great emigration that had taken place from this country, the emigration was so much less than the extent stated that it proved the statement to be grossly incorrect, then the conclusion might be fairly drawn that the general statements as to the rest of the country were equally unreliable. For that reason this motion was proposed. It was impossible the hon. Minister could obtain information on general statements, so as to establish their accuracy or inaccuracy; but he could ascertain whether any particular statement advanced was correct or not, by sending officers to enquire into the matter. They had the hon. Minister's statement that, from the enquiries made, so far from its being possible that number of emigrants had gone out at that port, it was larger than the entire number of passengers that passed through that port altogether; while the difference between the number coming and going was not very much more than one-tenth of the number who were alleged to have gone out of the country to settle in the United States. He thought it would have been much better if the motion had been allowed to go to-night, that full reports should have been obtained, that these reports should be referred to the Committee on Immigration and Colonization, so that all the information should have been before the House before further discussion took place. It had been charged by way of *tu quoque* that during the five years that hon. gentlemen opposite occupied seats on this side of the House, the Conservative party, then in Opposition, were constantly exaggerating or, at least, certainly magnifying the emigration from this country, and that they were doing it as an element or a weapon in party warfare against the hon. gentlemen who were then on this side of the House. The supporters of the Government were told that hon. gentlemen opposite were now doing no more than had been done by hon. gentlemen now sitting on this side of the House when they sat on the other. But there was a very remarkable distinction between the two cases. In the first place, according to the statements made by the hon. gentlemen opposite, the number of alleged emigrants who left the country during the five years the hon. gentlemen were in office, only amounted to 25,000 a year, distributed over the whole country. There were no allegations that such numbers were going out at particular ports as to make it a physical impossibility that the statement could be true. There was a general statement that a large number of emigrants were going out of the country. That was the statement of the Conservative party while in Opposition. It was true that a large emigration was taking

place; it was true that a large emigration was taking place to-day. In the very nature of things a considerable emigration would be always going on. The people of Canada were a migratory people to a considerable extent. The same thing was true of the people of the United States. The State of New York, with a population about equal to that of Canada, had lost up to 1871, according to the United States census, over one million of its native population who had gone to the western States of the Union, passing from one part of the country to the other, and the same process would go on here. If hon. members would take the case of the county of Bruce, which, if he remembered aright, was surveyed in 1853, they would find, if they asked the people of that county where they came from, that, to a large extent, they came from the older counties of Ontario. A few of them—of course a considerable number of them were persons who had come to work upon the Great western or the Grand Trunk, and when those roads were completed, went into the newer counties of the Province, of which Bruce was one, where they took up land and became industrious and well-to-do settlers. But that sort of settlement had to come to an end, because these newer counties had become settled, and there being no more of them the people naturally drifted towards the North-Western States. But now we had our own North-West, where, we hoped, with the railway facilities which were likely to be afforded to that country, our people would go in the future. There was no doubt, however, that there had been that sort of migration. But the position which had been taken by the Conservative party in Opposition was that largely in consequence of the want of a policy which would give employment to our own people, they were leaving this country for the United States. That idea might have been right or it might have been wrong; he was not going to discuss the National Policy on this motion. He thought the discussion on that point had been irrelevant to a large extent. That policy may have been wise or it might have been unwise; it may have resulted beneficially or otherwise, but at all events it was a policy advocated as a means of remedying an evil which had been pointed out. Did hon. gentlemen opposite pretend to recommend any such policy? He supposed they would say: "Go back to free trade." That was a suggestion which two or three times he had heard to-day. That must mean *pro tanto*, at any rate the injury of the manufacturing interests and the losing of labor in the different centres of population. Let them take Montreal for instance. That policy would close the large sugar refineries there. He did not say for the purpose of this argument that they should or should not be closed, but at any rate the closing of those refineries would throw out of employment some 400 heads of families, and that means a population of nearly 2,000 persons who must go somewhere else for employment, and who would probably go to the refineries of the United States. The Conservative party said there was a serious emigration from this country which would be largely prevented by a policy which would give employment to the people of Canada within their own country. That was the ground upon which—

Mr. KILLAM. You should not discuss the National Policy.

Mr. WHITE said he was not discussing the National Policy, he was simply showing what was the position of the Conservative party on this question. What he said was that they quoted these statements in relation to emigration with a suggestion of a remedy to prevent it, while hon. gentlemen opposite were doing nothing of the kind. More than that they had taken statistics compiled by American authorities, over whom we had no control, which, in the very nature of things, could not be true, because people could not be carried over at that particular point and within the time given to the numbers mentioned by those

Mr. WHITE (Cardwell).

hon. gentlemen. The object of this motion was simply to find out whether we had any information in relation to that emigration. He entirely agreed with the hon. member for West Middlesex, that it was the duty of the Government to enquire into this matter. He had reason to believe that the Government did enquire into it, and the object of the motion was to get the result of those enquiries on the Table. When they were brought down the proper course would be to refer them to the Committee on Colonization and Immigration, where they could be analyzed and sifted by those hon. gentlemen of the Opposition who were members of the Committee. There would always be an emigration westward, both to our own territory and to the American States, but he was satisfied that when this information was brought down it would show that emigration had not been at all equal to what the hon. gentlemen opposite had stated it was.

Mr. BLAKE said the hon. gentleman for Cardwell said that when his hon. friends made allegations in Opposition as to the amount of emigration from this country, they did so justifiably, because they suggested the adoption of a policy to prevent the continuance of that state of things. The hon. gentleman had stated that the Opposition were not justified in making statements as to emigration because they did not propose the same remedy.

Mr. WHITE said he had not stated that they had not proposed the same policy, but that they had not proposed any remedy.

Mr. BLAKE said they proposed to revert to a set of things which would diminish the emigration from the greatly increased figures which resulted from the change of policy adopted by the hon. gentlemen opposite. The hon. gentleman had said that he had succeeded in achieving a change in the policy which he pledged himself would reduce emigration. Well, they contended that it had not reduced emigration—that whatever other merits might be attributable to the policy, that particular merit was not attributable to it. The hon. gentleman said that there could not have been so great an emigration since the adoption of this policy, but they maintained that it had had a contrary effect to the one predicted by the hon. gentleman and his friends. The question was one of the utmost interest to this country. It was of the utmost interest that we should know what were the facts—not merely to-day, not merely for the last year, but for a great number of years—with reference to the emigration from this country. The hon. gentleman opposite stated that his friends indulged only in general statements, but he (Mr. Blake) maintained that whenever allusion had been made to this subject in the past, that allusion had been based upon just the same results upon which the allusions made on this side of the House, within the past year, had been based. The hon. member for Cardwell, in former debates, referred to the number of native Canadians settled in the United States. Where did he get his figures?

Mr. WHITE (Cardwell). I got them not from the Customs' office returns, but from the census.

Mr. BLAKE said the hon. member got them from United States statistics, the only place where he could get them, and where any figures obtained at any time with reference to the emigration from Canada to the United States had to be obtained. He was not aware that any attempt had yet been made to publish a record of that emigration in this country. Yet figures had been indulged in from year to year, and results had been ascertained. To what figures had hon. gentlemen appealed during this long series of years? Why, they appealed to the American statistics appearing yearly, and he maintained that the result as a whole would be discredited if it turned out that there had been gross, wilful, manifest error at any one point. What the hon. gentleman

complained of was that they on this side should have stated the result this year which he and his friends had been stating for many years past; while it was laudable and justifiable for hon. gentlemen opposite to advert to United States statistics, it was unjustifiable and improper for them on this side to assume that these statistics, which they credited, and which they made the foundation for many diatribes, continued to be credited in this house. He should be very glad if they could be discredited; he should rejoice to know that they were inaccurate. If they were we ought to attempt to establish some system of our own which would enable us to ascertain, with some degree of accuracy, what the flux and reflux of emigration into the country really was; but he said it was disingenuous, unfair and uncandid, for those who for many years credited and used these papers—and used them without rebuke, because their accuracy was never challenged—to say that those who chose to assume that there had not been a sudden change from correctness to incorrectness; that the system which had produced approximately correct results for so many years had become a failure, and that those who used the same figures derived from the same source, and on the same subject, were guilty of improper conduct. The hon. member for Cardwell (Mr. White) said the Minister of Agriculture was not called upon to deal with anything more than the specific statement, because the reference was made to a particular port, and he said the Minister was able to obtain information with respect to that port. Everyone knew where the information was received. It was contained in the public documents which are scattered through the country, and could be obtained by all who desire it. The Minister cannot for a moment say he did not get the United States quarterly and annual reports.

Mr. POPE. I say I get something else.

Mr. BLAKE. A good deal else; I am going to give the Minister something at this moment. He cannot say he does not get those returns or examine them—it is his duty to examine them. In each quarterly return there is a statement of the emigration for each of the ports at which returns are collected in the United States, and therefore he had every opportunity in the proper discharge of his duty to obtain information, not with respect to one isolated point, but with respect to all the places, so that we may arrive at a sound conclusion as to what the real extent of the emigration from this country was altogether.

Mr. POPE. No.

Mr. BLAKE. I apprehend there are some points at which it would be difficult, but there are other points at which the information could easily be obtained.

Mr. POPE. Name one.

Mr. BLAKE. The Canada Southern.

Mr. POPE. I have it.

Mr. BLAKE. You have not stated it. You have given the Grand Trunk and two divisions of the Great Western.

Mr. POPE. I will give you the Canada Southern.

Mr. BLAKE. I say you have not given it.

Mr. POPE. Name another.

Mr. BLAKE. I am not going to proceed to name them all. I have given the Minister one case in which he did not give the returns, and that is enough for this purpose. It seems to me that the figures of the hon. gentleman prove too much altogether.

Mr. POPE. Too much for you.

Mr. BLAKE. Not enough for me, but too much for the Minister. It is said by the hon. gentleman that the returns he gave us were a true test of what the emigration to the western States and the North-West is to take the number of passengers over those railways.

Mr. POPE. I did not say so. They would make more than the whole number of persons who passed over the road altogether.

Mr. BLAKE. But the hon. gentleman did not content himself with saying that, but he went further, and proceeded to give as the number of persons east-bound as well as west-bound, and proceeded to deduct the east from the west and draw a conclusion. What was the conclusion?

Mr. POPE. The conclusion was above 6,000 difference.

Mr. BLAKE. And what did that amount to? It was not 6,000 but 16,000.

Mr. POPE. About 6,700.

Mr. BLAKE. That is on the Grand Trunk alone. The difference on the Grand Trunk alone is 7,951. The hon. gentleman is rather off his calculation.

Mr. POPE. You made a mistake.

Mr. BLAKE. At any rate the total number of passengers:

(Via Grand Trunk Railway.)

Total passengers from Canada to all points West, including Manitoba .....	30,826
Total passengers from Western States to Canada .....	24,739
Difference .....	5,887

(Via Great Western—Sarnia Branch.)

Total passengers from Canada to Western States .....	1,719
Total from Western States to Canada .....	1,262
Difference .....	457

(From U. S. Consul at Sarnia.)

Total emigrants with Consular certificates, from estimates of Consul at Sarnia, 700 certificates or 4½ persons per certificate ..	3,050
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(From Canadian Customs Collector at Sarnia.)

Total outward entries at Sarnia and its outports, 858, or at 4½ persons per entry, for 12 months ended June 30th .....	3,861
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(Via Grand Trunk Railway.)

Total number of passengers from all points of Europe, the Eastern States and Canada to all western points, including Manitoba ..	53,627
Total from West to East at same point .....	45,676
Difference .....	7,951

That is the statement the hon. gentleman made.

Mr. POPE. I said nothing of the kind. I have not got the figures here but I can get them.

Mr. BLAKE. I am reading from the hon. gentleman's statement in the *Hansard* under the head of January 5th, 1881.

Mr. POPE. I cannot state what is in the *Hansard*, but I made the difference about 6,700 between the passengers coming to Canada, taking out those going to Manitoba west.

Mr. BLAKE. No.

Mr. POPE. Yes.

Mr. BLAKE. No. The hon. gentleman expressly throughout his statement always said including Manitoba. He did not give us any statement or estimate of those who went to Manitoba separately from those who went to the States. The result was, as the *Hansard* shows and my memory shows me, that the total was over 14,000 for the year ending 30th June last.

Mr. POPE. I will try and settle that with the hon. gentleman.

Mr. BLAKE. I do not know how the hon. gentleman can settle it except by giving the figures he gave before. Perhaps the hon. gentleman can give us fresh figures. I do not know what figures the hon. gentleman gave except as stated in the report. I say this, that whatever

the hon. gentleman says, whether the difference was 14,000 or 6,000 he meant the House to come to the conclusion that the difference, whatever it was, approximately represented the difference to the United States and Manitoba by these routes.

Mr. POPE. I will tell the hon. gentleman the exact figures I gave. The total difference was 6,705.

Mr. BLAKE. That is the balance. How do you make it? Give us the figures by which you arrived at the balance.

Mr. POPE. The total number of passengers from all points of Europe, Eastern States and Canada to all western points, including Manitoba, 53,607. That is by the Grand Trunk. Total from west to east, 45,676, by Grand Trunk. Total passengers from Canada to all points west, including Manitoba, 30,026. Total passengers from the western States to Canada (and I want the hon. gentleman to remember that), 24,739; the difference being 5,887. There is no mistake in that. Total passengers from Canada to the Western States, 1,719, by the Grand Trunk. Total from the western States to Canada, 1,267, difference 452. From the United States consular certificates as given on the other side, 3,050; from the Canadian Customs authorities, 3,861. Ours exceed theirs a little under that head. Difference between eastern and western passengers in and to Canada, 5,887.

Mr. BLAKE. No.

Mr. POPE. Yes.

Mr. BLAKE. But the hon. gentleman gave us returns over the Grand Trunk a little below in his statement.

Mr. POPE. Migrants with outer entries at Sarnia, and outports, 3,861. Total 10,005 less migrants and emigrants to Manitoba, being a proportion of a total of 13,500 and 16,000, bringing the total emigration from Canada to the western States, through Port Huron, 6,705.

Mr. BLAKE. Certainly; but the hon. gentleman did not give that latter statement in his former speech.

Mr. POPE. I did not say there were 13,500; but I gave exactly the 35,000.

Mr. BLAKE. The hon. gentleman gave the 3,050 from the consular figures at Sarnia, and 3,861 from the collector's figures at Sarnia, but did not say there were 13,500 in all to Manitoba, and that there was a certain smaller proportion of those that went by the railway. The only difficulty was that the hon. gentleman did not go further down in his paper. His purpose was to lead to the conclusion that the difference between the eastward-bound traffic was less than it really was. His figures were not correct, if we took into account the amount of emigration that must have taken place from all outlets in Canada.

Mr. POPE. How do you know that?

Mr. BLAKE. We know it because we know that many people have left every part of this country. The other day the hon. gentleman told us, when he was enlarging in reference to the estimate of this year, that Manitoba had 25,000; and he said that more than two-thirds of that number had gone, and that would be at least 17,000.

Mr. POPE. How many?

Mr. BLAKE. 17,000.

Mr. POPE. I said two-thirds.

Mr. BLAKE. You said more than two-thirds, and that would be at least 16,000 or 17,000. There is, of course, those that go by the Collingwood route by boat, those by Sarnia, and those by Kincardine, and there would also be some going by the Canada Southern Railway. And looking at all this—

Mr. BLAKE.

Mr. POPE. How do those people go by the Canada Southern?

Mr. BLAKE. I do not know how they go, but those who emigrate from along the line of the Canada Southern would be pretty sure to go by that road to the border. I say, Sir, that if we consider these various means of outlet, if we consider the emigration that has taken place to the western States, and the emigration which the hon. gentleman alleges has taken place to Manitoba, numbering about 17,000, he must come to the conclusion that these figures which the hon. gentleman has given are incorrect in this sense at least, that they do not bear out his deductions. I do not mean to say they are not borne out by the facts, or that the railway companies have not given him the returns which he says they have.

Mr. POPE. Do you doubt the correctness of the returns?

Mr. BLAKE. I say that I have no doubt that these figures are the figures which these companies have presented to the hon. gentleman, but I say that he cannot deduce from them the conclusion which he proposes to draw.

Mr. POPE. You cannot draw the conclusion you proposed to draw.

Mr. BLAKE. I have drawn no conclusion. I have simply assumed as correct the figures which the hon. gentleman in past years assumed as correct, the figures which both sides have always assumed to be correct. If I were to draw a general conclusion it would be the immigration for the past year was larger than for previous years. From ordinary sources of information, from enquiries I have made through the country, from enquiries which I have made from hon. gentlemen as to the state of things in their constituencies, I say that that is the conclusion which I should draw. Hon. gentlemen opposite have all professed to speak in a cheery tone. They say there has been no such large emigration. It is out of the question to talk in that way. We know what has taken place in the Province of Quebec. We know that in the pastoral letter or the amendment—or whatever may be the proper term of the deliverance—the Archbishop of Quebec deplored in the strongest terms the emigration which is going on from that Province, and he called on the faithful, or those who are under his control, to desist from emigrating to a foreign country. We know from that letter to his flock that he felt that this exodus was an unusual character—that it was greater than usual—and—

Mr. POPE. It was the usual exodus.

Mr. BLAKE. Why then this unusual step to check it? Why such a strong remonstrance on the part of the head of the church in that quarter?

Mr. POPE. It is done every year.

Mr. GEOFFRION. Not at all.

Mr. BLAKE. Not at all. I do not think it is done every year. I do not remember myself to have read of it, but I do not profess to be well informed on the subject, but I can appeal to the hon. gentlemen from Quebec—

Mr. HOUDÉ. It has been done for more than twenty years.

Mr. BLAKE. Every year?

Mr. HOUDÉ. The Bishops of the Province of Quebec have been telling their people almost every year not to go to the United States.

Mr. BLAKE. That is not what I said. I said there had not been, to the best of my information, such a mark, such a significant mark, of the extraordinary character of the emigration going on from that Province as that to be found in a public document of the Archbishop of Quebec issued a

few months ago. And if I am not mistaken in my recollection, another of the Bishops of the Roman Catholic Church, within a later period, has also published a remonstrance on the same subject. How was it between 1861 and 1871? Did not the population of the Province of Quebec remain almost stationary? That if we accepted the increase that took place in the cities, particularly in Montreal and its neighborhood, you might almost literally say, if the census were correct, that the population had remained stationary. If it were so between 1861 and 1871, still more would it likely to be so in these later years. With reference to the Maritime Provinces, we had heard statements made to-day that were not capable of contradiction. He did not mean to say that many of those persons who had gone away would not return. He hoped they would. The system of ticket scalping might have something to do with the railway returns, making them, to some extent, inaccurate. But speaking of this subject generally, he maintained that it was not possible to dispute the proposition that there had been a very large, an unusual, an excessive and a much to be lamented emigration. Let him refer to a speech of the Finance Minister himself made in Toronto a little while ago, where he said :

"I admit that there has been a large emigration. It would be madness for me to attempt to deny it, and I deeply regret it."

That was the language of the hon. Minister of Finance the fall of last year in Toronto. But it was not madness now to attempt to deny it, and there was nothing to regret.

Sir LEONARD TILLEY. It is the exaggeration we object to.

Mr. BLAKE. The hon. gentleman admits there has been a large emigration, and what the hon. Minister has thought to be madness has been done here the whole evening.

Mr. POPE. We never denied that emigration had been going on, but we said the returns hon. gentlemen had been quoting were entirely wrong.

Mr. MILLS. You say there are not 7,000.

Mr. POPE said they contended that 135,000 had not gone from Canada to the United States during the 15 months past. If it were possible that such a thing could be, the country would be depopulated. There could be no mistake about that. When he rose to-night he did not intend to say that people were not going to the United States, but he affirmed that the arguments and the figures put forward by the hon. gentleman when he spoke before on this question, were entirely erroneous, and that the hon. gentleman procured them from an official who depended for his salary and his living upon the amount he could make out in this direction. That official himself had admitted that he did not go into the cars himself, and these figures were furnished by his men. Indeed, if these figures were correctly, stated twenty men could not collect them. Mr. Sandham, the gentleman from whom the Opposition were quoting, got \$2,500 salary at that port, and it was to his interest to make these figures large.

Sir RICHARD J. CARTWRIGHT said he had received within the last three days some statistics which would go very far to confirm the statement made by the hon. member for West Durham, and to show what sort of depopulation had been going on under this blessed National Policy throughout the better portions of western Ontario. He had the returns of six important townships in the county of Huron, which showed that the population of the Township of Howick had fallen from 5,420 in 1878 to 5,193 in 1880; in the Township of Hallett, from 3,394 in 1878 to 3,378 in 1880; in the Township of Hay, from 4,119 to 3,644 in one year; in the Township of Stanley, from 2,883 to 2,373 in one year; in the Township of Grey, from 4,207 to 4,002 in

one year; and in the Township of West Wawanosh, from 2,555 in 1878 to 2,352 in 1880.

Mr. POPE. Where did you get these returns?

Sir RICHARD J. CARTWRIGHT. From the Reeves of the different townships. They are taken from the assessment returns.

Mr. POPE. Where have they gone to?

Sir RICHARD J. CARTWRIGHT. I fear they have not gone to the North-West, but I fear that the legislation of hon. gentlemen opposite have driven them to Minnesota, Dakota, and other western States.

Mr. POPE. Can you say they have gone to the United States.

Sir RICHARD J. CARTWRIGHT. I can say that a great proportion of them have.

Mr. POPE. How do you know?

Sir RICHARD J. CARTWRIGHT. Because I have been in the neighborhood and have been told so by the people, and because I have been in Minnesota and Dakota; and I know that a great many of these people have gone there. I mention these facts in order to show that out of these six townships in one large county of Ontario some 1,500 souls have left the country.

Mr. BOWELL. Is not the hon. gentleman aware that a large portion of that section of the North-West from Winnipeg to Portage la Prairie is settled by people from the very townships to which he has referred.

Sir RICHARD J. CARTWRIGHT. Not that portion.

Mr. BOWELL. I say it is; for I have been there.

Sir RICHARD J. CARTWRIGHT. But I have been there and much later than the hon. gentleman.

Mr. KRANTZ said granted that this emigration to the United States was going on still and that this country was not so prosperous as the United States, he believed, and it was the opinion of the majority of the people of this country, that the present Government was bringing about a better state of affairs. People would remain in a country and would immigrate to a country where there was plenty of employment for the artizan and the laborer, and where the agriculturist could obtain cheap and fertile lands. The policy of this Government was just the policy to secure this condition of things. The fiscal policy had given employment to a large number of the people. He was not speaking from hearsay, or from what he read in the papers, but from his actual knowledge. In the county which he represented there were tanneries, last manufactories, button factories, woollen factories, foundries and machine shops, flax and other industries. Every one of them has increased its capacity during the last two years. During the past six months there has not been a man unemployed in the county who was willing and capable of working. The policy of the Government in building the Pacific Railway, by means of a private company, would also prove beneficial to immigration. By handing over to the Syndicate a large quantity of land fit for settlement, it would be able to compete with American land speculators, and beat them with their own weapons. No Government emigration policy was able to compete with the means which a private company and a strong railway company had for settling up the country.

Mr. CASGRAIN said it was astonishing that the Department was not able to give the House data for the emigration from 1867 to the present time. The approaching census was about to be taken as badly as last time; and Parliament would be unable to know the number of people who had left the country each year. He could ascertain within two weeks the total emigration from his own county; but the Department did not know whether 700 or 135,000 people

had left the country, and yet the Department was well paid.

Mr. DAWSON said there had been general complaints of an exodus from Canada, but in his district, Algoma, the population had increased very rapidly for some years past. In 1871 the population was 7,000; now it was estimated at 23,000. That result had been obtained without possessing any special advantages, for the district was badly supplied with roads, and even now the mail was carried from Parry Sound to Algoma by dog-sleighs or on men's back, although it often amounted to 800 lbs. The population was increasing every day. In Manitoulin, about five years ago, there was a population of a little over 2,000; now it was estimated at close upon 8,000. The people of the American towns took much greater interest in their immigrants than our people did in ours. They drove them out to the lands and did all in their power to give them a favorable impression of the country.

Mr. RYMAL read an extract from a gentleman who left his (Mr. Rymal's) own riding and went to the North-West, where he purchased a quantity of land and settled there with his four sons. The extract was as follows:—

"It is too bad that through the bungling, or worse, of the Government thousands of the very best settlers should be driven from the country into the United States; but we cannot expect anything better from such a pack. Their friends have to get the pick of the lands first, and after that the people may get a chance. One thing that has done a great deal of ill out there this summer was the Order in Council that came in force on the first of May; it was to this effect: that settlers would not be protected in their rights on neither odd nor even numbers. Now, that you may fully understand what effect this would have, I would say that a large part of the land is yet unsurveyed within the last year or so, is yet withheld from market, and consequently the people were afraid to locate not knowing whether they might be turned off or charged two prices for the land. Now, under the late Government people were not only encouraged to go on to the land, but they knew that no other person could get it if they were on the land or had any improvements on it. They had the first chance, for before any person could take up this land they had to make oath that there was no person living on the land, and that there were no improvements on it. This Order in Council has driven thousands into Dakota this summer. And again, though the Agent was appointed last winter, or early this spring, it was this fall before he was prepared to take entries for the land. But there was he and an assistant, drawing about two thousand dollars a year for doing nothing. It seems the Government are afraid that the country is being settled too fast. A very strong supporter of theirs in Emerson told me that if they were the paid agents of the American Government they could not do more than they were doing to send settlers to Dakota and Minnesota."

Now, he knew nothing further than this: That he knew the writer of the letter well, that he knew that he was a man of strict integrity, and that he was a British subject to the bottom of his heart. He was a man that would sooner see thousands of Americans coming to this country, along with all the Canadians who were settled in the United States, than see one Canadian settle in the United States.

Mr. McCALLUM. Name, name.

Mr. RYMAL. No; I am not at liberty to give his name. It is a private letter.

Mr. HESSON. Then why read it?

Mr. BLAKE. Hear, hear.

Mr. RYMAL said why should he not read it? The writer of the letter was a candid, straightforward man, whose word was as good as his bond, whose word was as good as that of any Minister either in the past or present Government. With regard to the exodus from our shores hon. gentlemen were speaking of what they knew. There had not been a great deal of moving from his constituency, and the number who had gone to our own North-West was about equal to the number who had gone to Kansas, Arkansas, Dakota, Minnesota, Idaho and other States. A few who had gone to our own North-West had become dissatisfied with the land regulations and with the conduct of our agents in that country. He was told that these gentlemen put on a haw-haw style, and did not care to be accommodating to the people who asked them questions, and they must know the people who

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went into that country were obliged to ask a great many questions. He was under the impression that these agents were sent there for the purpose of giving information. If the information he had got was true the facts were in strong contrast with what had been stated by the hon. member for Algoma. The American agents were obliging; they could not do too much for the emigrants; they could not be too accommodating; they could not extend too much civility. If our Government were wise they would send a better class of agents to meet the settlers, for he was satisfied from what he had heard that many valuable settlers had left our North-West just on account of the land regulations and the incivility with which they had been met by the agents of the Government.

Motion agreed to; and (at 2 o'clock, a.m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 4th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### REPORT.

Mr. McDONALD (Picton) presented the annual report of the Minister of Justice, as to Penitentiaries in Canada, for the year ending 30th June, 1880.

### MESSAGE FROM HIS EXCELLENCY.

Mr. POPE (Queen's) presented a Message from His Excellency.

Mr. SPEAKER read the Message, as follows:—

"LORNE.

"The Governor General transmits to the House of Commons, copy of the correspondence on the subject of the gratuitous transfer from the Imperial to the Canadian Government, of Her Majesty's steam corvette *Charybdis* for training school purposes.

"GOVERNMENT HOUSE,

"OTTAWA, 3rd February, 1881."

### BILLS INTRODUCED.

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

Bill (No. 45) to further amend the Patent Act of 1872.— (Mr. Pope, Compton.)

Bill (No. 46) to prevent and punish wrongs to children.— (Mr. Richey.)

Bill (No. 48) respecting the Canada Consolidated Gold Mining Company.— (Mr. White, Hastings.)

### MARITIME JURISDICTION IN ONTARIO.

Mr. McCARTHY introduced a Bill (No. 47) to amend the Act establishing a Court of Maritime Jurisdiction in the Province of Ontario. He said: The Bill is intended to define the limit of the jurisdiction of the Courts with respect to seamen's wages. By the Maritime Court Act of 1877, all jurisdiction belonging to the Vice-Admiralty Court is conferred on that Court. By the Merchant Shipping Act of 1854, the right of a seaman to sue for wages in a Maritime Court is limited in this way: Either the amount must be beyond fifty pounds, or the owner of the vessel must be bankrupt or insolvent, or the vessel under arrest at the time, or she must have been sold by the Court. In those different cases the Admiralty Court, by the Merchant Shipping Act, had jurisdiction to entertain claims for seamen's wages. By an Act which was passed in England in 1863, the jurisdiction

of the Vice-Admiralty Court was defined and extended, and in one respect the words that are used are ambiguous. Section 10 of the Act says: "Claims for seamen's wages" It has been held by the Judge of the Court of Ontario that the effect of the words I have read from the Act of 1863 is to do away entirely with the terms of the clause in the Merchant Shipping Act, so that seamen who have a claim for a mere trifle, \$10, \$12 or \$15, or any sum whatever, have a right, under the decision of that Court, to have the vessel arrested, notwithstanding the owner may be perfectly solvent, and there is no special reason for the interference of that extraordinary power. I propose, by this Bill, to declare that the jurisdiction of the Court is as was defined by the Merchant Shipping Act of 1854, and unless the amount exceeded \$200, or unless the owner should be bankrupt or insolvent, or unless the vessel be under seizure, or unless the seaman has been put ashore at a distance from the residence of the master or owner exceeding 20 miles, the Court shall not have jurisdiction.

Bill read the first time.

#### INSPECTION OF SMOKED HERRINGS.

Mr. MOUSSEAU moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

*Resolved*,—That the Act passed in the forty-third year of Her Majesty's reign intitled: "An Act to amend 'The General Inspection Act of 1874,' and the Act amending it," be amended by repealing the tariff of fees to be collected for the inspection of smoked herrings, contained in the third section, and substituting the following:—

- (a) For each box of smoked herrings—one cent.
- (b) For each half box of smoked herrings—one half cent.
- (c) For each quarter box of smoked herrings—one quarter cent.

Resolution considered in Committee and reported.

Mr. LONGLEY said he had scarcely had time to read the resolutions, but if the intention was to reduce the fee for inspecting smoked herrings from two cents to one cent per box, he quite concurred in the proposed amendment of the Act. He would like to have an option, but as that might not be the better course and might be considered a departure from the principle pervading the Act, he would offer no objection.

Mr. GILLMOR said when the recommendation was made last year he was informed by the Minister of Inland Revenue that inspection would not be compulsory. This regulation would be a very onerous one to his constituents. He supposed that about 300,000 boxes of smoked herrings were produced in his county, and with a tax of half a cent per box the burden would be very serious. Up to the present time there had been no inspection, and he could see no possible good to be derived from an inspection of smoked herrings. The previous Minister of Inland Revenue Department had assured him that inspection would not be enforced unless the county decided that it should be done in the public interest. If he could have such an assurance as that now, he would make no objection. He assured the House that this tax would be found a serious burden and could serve no possible purpose. Most of this fish went to the West Indies and to the United States; very little indeed was consumed at home. The tax would be enormous. The boxes cost about 5 cents each and contained 7 to 8 lbs. of fish, so a tax of half a cent on each box would be unbearable. He was sure the Government would not impose this burden if they understood the circumstances, for it would be one of the most unfortunate things the Government ever attempted.

Mr. LONGLEY said he could appreciate the objection of his hon. friend. At the same time, looking at the matter

from his own stand point, he was fully satisfied with the conditions of the Bill. The only argument that could be used against the imposition of the inspection fee, as relating to the class of fish in which his hon. friend was interested, would relate to their inferiority or lesser value than those caught in the county he (Mr. Longley) had the honor to represent. Possibly in relation to the particular class of fish caught in the Grand Manan, the inspection would be of less value than in respect of fish worth two or three times as much. In regard to the inferior class of fish, the inspection would have the effect of improving their quality, and in the end a benefit would accrue to those who cured the fish. He had no hesitation in saying, in respect to the class of fish caught in the Digby Basin, the inspection would be worth a good deal more than it would cost. There would be one cent per box paid for the inspection, and sooner or later the curers of fish would reap an advantage of, perchance, five cents per box, in consequence of the standard of fish being raised. He hoped that the inspection would be of advantage to all smoked herrings caught throughout the Dominion. The fish caught in the Digby Basin were known abroad, where they sometimes brought very high prices, and it was an industry of such magnitude that it deserved to be fostered in every possible way. He was mis-reported the other day when this subject came up when he was made to say that the annual catch of fish in the Digby Basin amounted to 25,000 boxes; what he did say was that in certain years the catch had reached that quantity. He assumed that upon an average the catch of fish there would not exceed 12,000 boxes. When it was considered that this fish was worth from fifty to seventy or eighty cents per box, the House would see the importance of the matter. He apprehended that the inspection would raise the character of the fish to the extent of five cents per box, and if the curers of fish, by paying one cent per box, could reap this advantage, they would have occasion to be satisfied.

Mr. GILLMOR said he was aware that the character of the fish caught in his hon. friend's locality was different from that caught in his own county. They were put up in larger boxes and were a more valuable fish. He could not believe that the Government had received any information from the county he represented that this inspection was at all necessary. He thought it all came from his hon. friend's desire to have some inspection for the fish caught in the Digby Basin. In the county of Charlotte there were 300,000 or 400,000 boxes of fish put up yearly, and the proposed tax upon these boxes would prove an intolerable burden. He would like to have an explanation from the Government of the reason of this tax. The average price of smoked herrings, taking one year with another, was not more than thirteen or fourteen cents a box, and the box did not cost less than five cents, so that the fish on which they were paying half of a cent did not bring, on the average, more than eight cents. The only effect this measure could have was the appointment of officials to go among the fishermen to annoy them. Nobody in the country complained of any grievance, as ninety-five per cent. of our smoked herrings went to the United States, and from there they were exported to the West Indies and South America. He thought it was a great error, and a most unpopular one, for the Government to put a tax on this struggling industry which they ought to protect.

Mr. KILLAM congratulated the Government on the confidence reposed in them by the hon. member for Annapolis. That hon. gentleman seemed to be satisfied that, although the tax on smoked herrings was not altogether correct, yet the matter was quite safe in the hands of the Government.

Mr. ANGLIN felt it his duty, as representing a county interested in herring fishing, to join the hon. member for Charlotte (Mr. Gillmor) in his protest against this

measure. It was evidently introduced to meet the wishes of the hon. member for Annapolis, who seemed to be such a great protectionist, that he thought the quality of the herrings in the Digby Basin would be greatly improved if they were taxed a little. In no other part of the country had there been a demand for the inspection of smoked herrings, and in no other section was an inspection considered necessary. If the Government would confine the operation of this Bill to fish caught in the Digby Basin and sold for exportation at Halifax, then those who represented other constituencies would have no reason to object. But they had objected last year, and they objected again, to any attempt to impose a tax on this small industry, which the people engaged in it did not find over profitable. They would feel the tax as an oppressive and onerous one, and they would avoid the inspection as of no value whatever, and they would come to regard this Parliament, not as interested in their welfare, but as choosing to meddle in their business without justification. The present Bill was to reduce the tax, and therefore he would support it, because he was opposed to any imposition at all, and he preferred the smaller charge to the larger. The Government would only render their administration obnoxious by interfering in this petty way with this small industry, as it would not in any way improve the character of the fish or promote the welfare of those engaged in it. He would have no objection to such a measure, provided its operation was confined to those districts, the representatives of which chose to say the inspection would be of advantage to the trade.

Mr. RICHEY said the Halifax Chamber of Commerce concurred in the expediency of such a measure as this, as they had some years ago addressed a memorial to the Government in favor of it, in the interests of the port of Halifax and of the fishery business. If the inspection of fish at all was necessary, it appeared proper to extend the inspection to smoked herrings as well as other fish.

Sir JOHN A. MACDONALD could not agree with the doctrine laid down by the hon. member for Gloucester, that a provision for the inspection of any article of commerce should be subject to the opinion of the representatives of those districts which might be more particularly interested in that article. He thought this was a question of public policy, which must be settled irrespective of the wishes of some constituencies. It was very hard to get any class of persons engaged in any industry to put a limit to their power of sale. They had an instance in Canadian butter. There was no reason why Canadian butter should not command the highest possible price, because we had all the facilities for making good butter as were found anywhere else, yet the producers objected to having their butter inspected. They were like the old ladies interested in the butter trade, who would like very much to have their poorest sample put in the market as well as their best. At one time Irish butter was very poor in quality, but through a rigid system of inspection it became the finest butter in the world. The whole of the navy and the army were supplied exclusively from Ireland with butter during the long Peninsular war, its standard had become so improved; yet the inspection measure was most tremendously opposed when introduced. The hon. member for Halifax said the Board of Trade there were in favor of this measure. It was easily understood that fishermen, or any other persons immediately employed in any particular industry, could not be expected to look far distant, and make up their minds to a little sacrifice by taking more care in their work and excluding an inferior article altogether.

Mr. MILLS said the case of butter cited by the hon. member was not to the point. A certain amount of artistic skill was required in the manufacture of butter, which was

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not regulated in the curing of fish. They were taken from the sea, and whether they were superior or inferior in quality was wholly independent of the fishermen. If the inspection of butter imposed a tax of ten per cent. on the butter trade, however much the butter might be benefited, it would be impossible that inspection would be had. The inspection of fish, according to the hon. member for Charlotte, imposed the enormous tax of ten per cent. on the value of fish. This was a sufficient reason for opposing the measure.

Mr. ANGLIN said the law for the inspection of butter did not require its inspection for the home market, and he did not know of any law to prevent the exportation of butter not inspected. It was to determine the quality of the butter, the standard of which was then branded on the tabs.

Resolution agreed to.

Mr. MOUSSEAU introduced a Bill (No. 49) to amend the General Inspection Act of 1874, and the Act amending it. Bill read the first time.

#### PREVENTION OF CRIME.

Mr. McDONALD (Pictou) moved the second reading of Bill (No. 30) further to continue in force for a limited time the better prevention of Crime Act 1878.

Mr. ANGLIN asked what reasons the Government had for continuing this Act. Many entertained the opinion that the Act had not worked as well as was expected by the hon. Minister of Justice.

Mr. McDONALD (Pictou) said he had not considered really whether or not the Bill was as perfect as any one that could be framed. It had done no harm and could remain on the Statutes.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

Mr. BLAKE said his hon. friend the Minister of Justice observed that the Bill did no harm, and, therefore, there was no reason why it should not remain on the Statute-book. His own opinion was that it was designed to meet an exceptional state of things, and ought to be continued only on the responsibility of the Administration, which was responsible, of course, for the prevention of crime. It still appeared that there was some reason for its continuance, and perhaps it should be allowed to remain on the Statute-book for another year. It was, when introduced, not only justifiable but desirable, owing to the excited state of feeling that prevailed in certain parts of the country. But as that excited feeling had fortunately passed away, there would be very good reasons for its removal from the Statute-book after a limited time.

Mr. McDONALD (Pictou) said he did intend to let the Bill drop, but certain circumstances transpiring elsewhere made it desirable for the present to retain it for at least another year, beyond which it would probably not be wanted.

Mr. ANGLIN said he was sorry to hear the reasons alleged by the hon. Minister for the renewal of this law. His own feeling was that very great restrictions should be placed on the practice of carrying arms, which created a temptation for their improper use. He must object to the reasons given by the Minister for his course as reflecting upon a large portion of our people. He did not think there was any reason for passing any exceptional measures in Canada. There was no reason to expect that any portion of our people would with any object resort to an improper use of arms. He was sorry that the Government saw any reason to apprehend any danger requiring exceptional legislation of this kind.

Sir JOHN A. MACDONALD said if there was reason for the passing of the Act in 1878, there was reason for its maintenance now. The fact that the Act had been on the Statute-book and had not operated so far, did not justify the statement that it was unsuccessful. The same reason applied now for keeping it on the Statute-book that applied for the passing of the Act.

Bill reported.

#### DOCUMENTARY EVIDENCE IN COURT.

Mr. McDONALD (Pictou) moved the second reading of Bill (No. 33) to amend the law respecting documentary evidence in certain cases. He said that this Bill related to the admission of documentary evidence in the Courts. It was really a transcript of the Imperial Act, passed, he thought, in 1868, with regard to the admission of documentary evidence in Courts, and was supplementary to the several Statutes on that subject in the several Provinces. It provided for the admission of proclamations, Orders in Council, and public documents of that kind.

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

#### HALIFAX INDUSTRIAL SCHOOL.

Mr. RICHEY moved the second reading of Bill (No. 3) to amend chapter 32 of the Acts of 33 Victoria (1870), entitled: "An Act to empower the Police Court in the city of Halifax to sentence juvenile offenders to be detained in the Halifax Industrial School." He said: The Halifax Industrial School was an institution originating in private benevolence, established for the purpose of assisting in educating poor and friendless boys. It had proved very useful in that direction, and as no reformatory existed in the city of Halifax, there was no place to which youths who were brought before the Police Court and found guilty of petty crimes could be sent, except to the city prison. It was therefore thought desirable that youths of that description should be committed to the Halifax Industrial School and placed under the direction of its board. An Act had therefore been passed by the Legislature of Nova Scotia, previous to Confederation, reciting that "for the further promotion of the benevolent design of such society it is desirable to authorize and empower the Police Court of the said city to sentence juvenile offenders to such Industrial School, and to provide for their support while there." The institution was one the management of which was in the hands of the Protestant portion of the community, and the Bill provided that:

"Whenever any boy being a Protestant and a minor, under the age of eighteen years, shall be convicted before the police court or the stipendiary magistrate, of any offence of which, by law, he would be liable to be sentenced to imprisonment either in the City Prison or the City Juvenile Reformatory, the Police Court or Stipendiary Magistrate shall have power to sentence such boy to such term of confinement in the said Industrial School not exceeding five years, as to the said Police Court or Stipendiary Magistrate may appear proper, provided such term of imprisonment shall terminate when such boy attains the age of twenty-one years."

He might say that the reformatory was only a room set apart in the city prison, and not a separate institution. The Bill also provided for an amount being paid by the city of Halifax for the support of each of those boys while in the institution; that the premises should be open to the inspection of the mayor, aldermen or Stipendiary Magistrate. With regard to the escape of such boys, it provided as follows:—

"If any boy so sentenced as aforesaid shall escape from the said industrial school, he shall, on proof of his identity before the Police Court or stipendiary magistrate be remanded to that school, there to serve the remainder of his original sentence, with such additional term as to the said Police Court or Stipendiary Magistrate may appear proper; and in case of any boy escaping a second time he shall not be remanded to the

industrial school, but he shall, on proof of his identity as aforesaid, be sentenced as incorrigible by the said Court or Magistrate to such term of imprisonment in the City Prison, not exceeding five years, as to the said Court or Magistrate may seem proper."

The difficulty which it was proposed to remedy by the present Bill, was the inducements offered to the boys by persons outside of the institution, to escape. The clauses of the Bill were identical with those of an Act relating to the Reformatory School of Quebec. He should say, however, that in 1870, an Act was passed by this Parliament—33 Victoria, chapter 32—precisely similar to the Act of the Nova Scotia Legislature to which he had referred, in order to quiet any doubts that might arise regarding jurisdiction. In 1869, the Act 32-33 Victoria, chapter 34 was passed, respecting juvenile offenders within the Province of Quebec, and he proposed to apply certain provisions of that Bill—with regard to the punishment of persons assisting in the escape of boys from certified reformatories, or harboring them after escape—to the Halifax Industrial School.

Mr. BLAKE. Are the penalties the same?

Mr. RICHEY said they were.

Mr. BLAKE said there could be no objection to such legislation as the hon. gentleman proposed, as the institution to which the Bill referred was one which had been legalized by an Act of this Parliament. He thought, however, that there was no reason why they should depart from the very wholesome principle of our Criminal Law—the very principle on which the Criminal Law had been brought within the purview of this Legislature—the principle of uniformity or generality of application. As there were so many institutions of the kind referred to by the hon. gentleman, springing up in all the Provinces—for instance, the Mercer Reformatory of Ontario, which was recognized by an Act of last Session—he suggested to the Government that it would be well to introduce a general law providing appropriate penalties against the commission of such offences as those against which the present Bill was directed.

Mr. McDONALD (Pictou) said he agreed with the suggestion of the hon. gentleman, and that in view of the numerous applications which were now being made for special legislation on the subject, he thought the time had perhaps arrived when a general measure should be submitted to the House.

Mr. BLAKE said a general Bill in the general line of the one before the House might be brought down this Session.

Mr. McDONALD. I think, however, that the Bill of the hon. member might in the meantime have the second reading.

Mr. MILLS said he thought that provisions of the same character as those proposed in this Bill were included in a Bill passed by the Local Legislature of Ontario last Session. This would seem rather to be a police matter as an incident to the establishment of a school system for the reformation of boys, than a part of the Criminal Law.

Mr. BLAKE said his hon. friend would observe that this matter was a reformatory measure in one sense, but it was also a measure for perfecting a system of confinement for persons who were convicted of crime. This was a particular mode of imprisonment with a view to reformation, but it was certainly dealing with Criminal Law.

Bill read the second time.

#### THE SUPREME COURT ACT.

On the order being called for the second reading of Bill (No. 4) to repeal "The Supreme and Exchequer Court Act" and the Acts amending the same,

Sir JOHN A. MACDONALD. With respect to this item, although the first reading was moved by an hon.

member who is now no more, any other hon. member can take it up.

Mr. BLAKE. Perhaps the hon. gentleman would intimate that unless some hon. member takes it up at the next sitting, he will move for its discharge.

Sir JOHN A. MACDONALD. Yes.

#### FRAUD IN CONTRACTS INVOLVING THE EXPENDITURE OF PUBLIC MONEYS.

Mr. CASGRAIN, in moving for the second reading of Bill (No. 5) to better prevent fraud in contracts involving the expenditure of public moneys, said: I do not know to what extent the legislation I propose will be able to put a stop to frauds of this kind. These frauds are a kind of poison that creep into the social body; it is very difficult to reach them, and still more difficult to eradicate. Nevertheless, I deemed it my duty to introduce a Bill which, I think, will not only meet with the approbation of this House, but also the approval of the country. I would have wished to see the present Government take up this measure; I think they would be rendering a great service to the country by bringing down such a Bill. On the other hand, as on the first reading, I made the same proposal, which was not accepted, I think I am fulfilling my duty as a member in introducing this Bill, which has three principal objects. Among others, in the first place, to prevent what are called middlemen or brokers from interfering with public contracts. We all know, and unhappily it is only too true, that these brokers, in order to lend their influence in favor of individuals, exact what we call in French *petite douceurs*. I am of opinion that such a business is direct corruption. That is why, by the first clause of the Bill, I propose making these different acts a misdemeanor, punishable as such upon conviction before the ordinary courts. The second object that I have in view is to prevent tenderers in public contracts from withdrawing their tenders for certain considerations, in order to help other tenderers, thus depriving the country of a profit or unduly obliging it to pay considerable sums that might otherwise be saved. This kind of fraud is not provided against by our legislation. It is, nevertheless, provided against by the legislation of the Province of Quebec. I would mention, in support of this statement, the case of public sales by the Sheriff. All the bidders are held to be independent one from another; to be bound each by his respective bid. When they form a ring to acquire a property at a low price, the sale is fraudulent and voided by the courts of justice. This legislation is based upon sound morality and upon true reason; it is made in order to prevent what might be called indirect stealing. All public contracts tainted with such fraud should be declared void, and all such tenderers should be deprived of the right of obtaining or carrying on any contract with the Government. I will endeavor to introduce a clause in that direction, if, as I hope, the Bill comes before the Committee of the Whole. I, moreover, wish to protect public officers against attempts that might be made to captivate their kindness as to corrupt them in the execution of their duty, and to punish those who would make them either offers, gifts or promises of any kind, so as to induce them to disclose the secrets of the public departments. As these different acts are tainted with fraud, it is necessary to suppress, as far as possible, such abuses. I, therefore, make a misdemeanor of such cases, and there is not only a pecuniary penalty attached to these acts, on conviction, but moreover, there is a brand of infamy, that is to say, an imprisonment, so that this infamous stain may deter all those who might be tempted to corrupt a public officer, or commit any of these offences. Another clause contemplates preventing all public contractors, or those wishing to become such, or those who are entrusted with the execution of a public contract, from contributing either directly or indirectly to

Sir JOHN A. MACDONALD.

general election funds, or for political objects, from heavily subscribing, as examples have been seen, and guarding against a repetition of what has unhappily already occurred in this country. I do not think that too severe restrictions can be established, nor too exemplary punishment be inflicted upon those who should attempt by this means to corrupt the electorate, so I call such acts misdemeanors and I want them to be punished as such, and also punished by a fine or an imprisonment, at the discretion of the Court. I do not wish to dwell at any length upon the facts that have induced me to introduce this measure. I think that it has become absolutely necessary, and that in these, our times, this kind of corruption is extending all over America. Not only do we need such legislation in this country, but I also observe that even in the United States, since the introduction of my Bill, a like measure has been introduced in Congress, in order to protect public officers, and to prevent public contractors from unduly influencing these officers. With the remarks, Mr. Speaker, I make my motion. Without saying anything further about this Bill, at the same time I am well aware that the measure is susceptible of amendment, and I shall be happy to receive any suggestion coming from either side of the House; but, under the circumstances, I wish to make the Bill as severe as possible, and I think I have fulfilled my duty as a member in bringing it before the House.

Sir JOHN A. MACDONALD. There is now a measure of a very drastic and severe character before the Imperial Parliament for the purpose of preventing fraud by all proper means. The Government propose to see that measure before dealing with the whole subject, and to extend the provisions of our present Election Law which, in some respects, are so severe as to be inoperative, and in other respects are too lax. As regards the fourth clause I think that must be excised from my hon. friend's Bill. I have no objection to the second reading of the Bill, and that it shall stand for Committee of the Whole, but, at the same time, I am convinced that he had better let it go to a Select Committee. The second reading might be taken now, and before moving to send it to Committee of the Whole, if my hon. friend agrees with me, we may settle upon a Select Committee to consider the Bill.

Mr. CASGRAIN. I am willing to accept a Select Committee. At the same time I think the last clause meets a want not provided for in the General Election Act.

Sir JOHN A. MACDONALD. It ought to be provided for in the General Election Act.

Mr. CASGRAIN. But it is not, and in the meantime I desire to put that clause in the Bill in order to make it perfect.

Bill read the second time.

#### INSOLVENCY.

Mr. McCUAIG, in moving the second reading of Bill (No. 39) to amend the Insolvent Act of 1875, and amending Acts, said: The object of this Bill was to repeal a clause introduced last year by the hon. member for West Durham, which gave an insolvent the option of paying fifty cents on the dollar before getting a discharge. He wished to repeal that clause and revive the one which gave Judges a right to discharge where there was no fraud. He had no direct interest in this matter, and no case, direct or indirect, in his own county. He thought that power should be again given to Judges to discharge those who have been unfortunately in the Insolvent Courts where there was no fraud proven. It must be evident to this House that the mere fact of paying 50, or 60 or 70 cents on the dollar, was no evidence of a man being dishonest. There were cases in which men paid almost nothing, and yet were perfectly honest; there were other

cases in which men paid 75 cents in the dollar, and yet were not honest. He believed that since the Insolvency Act had been repealed, it was better to give power to the Judges, when they were satisfied there was no fraud, to grant an insolvent his discharge.

Mr. BROWN said he could hardly see the force of an amendment to a Bill that did not exist. He thought the repeal of the Insolvency Act last Session was a move in the right direction, and he did not believe in tinkering with it now, before it had a fair trial. The farming community derived no benefit from an Insolvency Act. If a farmer aided a young man to start in business by endorsing a note for him, and the young man failed, he might go through the Bankruptcy Court, get his discharge, and start business again, while the farmer had to meet the debt to the last dollar. He hoped the Government would allow no tinkering with this matter. In the course of a few years more, a comprehensive Insolvency Act might be necessary, but at present he saw no reason for this Bill, and he felt it his duty to vote against it.

Mr. BECHARD said that last year the Insolvency Act, which had been in existence in this country for many years, was repealed, except in regard to cases then pending. One of the reasons for its repeal, was that it gave too much facility to an insolvent to defraud his creditors. To remedy that evil, a clause was inserted in the Act, in 1875, that no debtor could obtain a discharge unless he paid fifty cents in the dollar, though it was left to the Judge to discharge him, if he came to the conclusion that the debtor was unable to pay that amount. In 1877 the latter provision was repealed, and the debtor thereafter could not obtain his discharge unless he paid fifty cents in the dollar. The present Bill, he thought, was in contravention of the well-expressed opinion of the House last year, and the well-expressed wish of the people. They had no reason to believe that the people had since changed their minds. Cases pending should be settled according to the provisions of the repealing Bill. He moved:

"That the Bill be not now read a second time, but that it be read a second time this day six months."

Mr. McLENNAN said he had seconded the motion for the second reading of the Bill upon what he conceived to be very good ground for proposing a repeal of those restrictions now placed upon a Judge in granting a discharge. It was true, the Insolvency Act had been repealed last year with the common consent of Parliament; but there were parties who were not entirely free from the operation of the law, and the object of this Bill, as he understood it, was to give relief to those parties who were left, as one might say, betwixt earth and heaven, whose estate had been taken out of their hands, and who were left subject to some very hypothetical conditions. He had only to read the provisions of this Act to show that the law could be very ambiguous. For his own part he was convinced, with the cheerful monarch who lived some time ago, that it was desirable to know no more of the law, if this was its character, than a private gentleman ought to know. The conditions proposed to be repealed are these: "That the Judge may only grant a discharge in one of the cases: 1st, that a dividend of not less than fifty cents on the dollar has been, or will be, paid out of the insolvent's property." That was a fair subject for proof before a Judge, but when they came to the next condition: "that such dividend might have been paid but for the negligence or fraud of the assignee or inspectors, or that the insolvent had, prior to the institution of proceedings in insolvency, mailed and registered to the address of each of his creditors, so far as known to him, a declaration acknowledging his insolvency and that no proceeding in insolvency had been instituted against the insolvent for more than one month

after the mailing of such notice, and that such dividend would have been paid but for circumstances for which the insolvent cannot justly be held responsible, arising more than one month after the mailing of such declaration," it was difficult to imagine what process of law or what length of time would be necessary to discuss questions of so much uncertainty as were involved in these two conditions. He was not going into the question of the advantage or disadvantage of an insolvency law. Here was a class of people left in a state of great uncertainty, subject to conditions that should not be perpetual in their operation. Were these people to be left forever subject to the misfortunes that had overtaken them under the action of that Court? He believed the time had come when they should be left to the untrammelled judgment of a Court that could deal with their cases on ordinary principles of law, and give them a discharge where no fraud was alleged in their dealing with their property.

Mr. BLAKE said the House would remember that from year to year, during the continuance of the Insolvency Law, complaints were made as to its operation, one of the principal of which was that it was a law by which men went into insolvency and got their discharge from the payment of their honest debts without proper precautions having been taken to show that they were entitled to a discharge. The law, as it stood in 1875, which was more stringent than the previous laws, was framed more stringently to meet that objection. It was found not to meet it. The practical experience of those merchants and lawyers who had to do with the law was, that under its operation, as under that of former laws, nearly everybody obtained a discharge. With a view of meeting the growing feeling that the Insolvency Law ought not to be so framed as practically to admit of men going on in business long after the period at which they ought to be stopped risking property which they knew was their creditors property and not their own, and then, when their estates had been dissipated, going into insolvency only to obtain almost invariably an immediate discharge, an effort was made in 1877 to provide that there should be some substantial difficulty placed in the way of their getting a discharge, unless there had been a reasonably early going into insolvency. The idea was that as soon as men perceived their affairs were in such a state that they could not pay twenty shillings in the pound, they ought to put their property into the hands of trustees for their creditors, and permit it to be worked out for their benefit—in fact, that the property was no longer theirs, but their creditors. Well, the provisions then established by Parliament were those that the hon. member for Glengarry (Mr. McLennan) had read. The discretion of the Judge was restricted, first of all by the provision that he should not be able to grant a discharge unless satisfied that fifty cents had been, or would be, paid out of the property, and that a dividend of that amount would have been paid but for the negligence of the assignees or the inspectors. If the hon. member for Glengarry had been in the House during the discussion on the Insolvency Law, he would have known a great grievance was that fraud was exercised by the assignees and inspectors which resulted in the depreciation or sale at great sacrifice of the property. The question whether there had been fraud or negligence on the part of an officer or trustee, and what loss had resulted from such negligence was not as difficult as many other questions submitted to the decision of a Judge or jury. If the assignee or inspector had been guilty of such fraud or negligence as to cause a loss of \$5,000 to the estate, that \$5,000 would, for the purposes of calculation, be added to the assets as they came from the hands of the insolvent, in order to decide whether, with that amount, they would have realized sufficient to entitle the bankrupt to a discharge. But it was also said that the insolvent ought not to be placed in that position, inasmuch as the Insolvent Act being

abolished, it was no longer in his power to go into insolvency voluntarily, and, therefore, knowing that his estate was worth less than twenty shillings in the pound, feeling that insolvency was the only remedy, he might find himself in that position that his creditors would not choose to take the initiatory proceedings, and in the meantime his estate would be depreciating from day to day to the injury of all parties. That was remedied by the third clause, which put it in the power of the insolvent to say: "If you do not choose to take proceedings against me in insolvency within thirty days after I made you acquainted with the fact that my affairs were embarrassed, and if that delay has been such that my estate, which then would have paid fifty cents in the dollar, can now only pay a much smaller sum, I am entitled to my discharge." Those were the three conditions prescribed by the Act of 1877. The feeling against the Insolvent Act grew stronger and stronger. It was found that that feeling was not to be overcome even by those restrictions, and ultimately, after one attempt had been made in the first Session, in the second Session of this Parliament the repeal of the Act was effected. Then was the time, if it had been intended as to pending cases, to modify the conditions in the late law and to have proposed modifications. If any special legislation was to be made with reference to the persons who remained under the operation of the law, it should have been made at the time that Parliament was dealing with the question and abolishing the laws. In no such proposal was there made, that he could remember—at any rate none was pressed to a division—but now it was proposed, after the Insolvent Law had disappeared from the Statute-book, as to all but those old cases, that they should relax the conditions of discharge with reference to those who had come under its operations, and that for all practical purposes, in the light of all past experience, they should declare that all existing insolvents should be discharged. It would be a simpler and more beneficial thing for everybody but the lawyers, if his hon. friend would modify his Bill and say that all undischarged insolvents are hereby discharged. In some instances if a case came before a Judge and nobody would proceed with his restrictions, there would be a discharge, after some expense and trouble, for all the insolvents that remained undischarged. Before a measure of this kind was passed, it would have been proper for his hon. friend to have obtained statistics and other information, to enable them to judge of the persons in regard to whom, and the circumstances under which, there had been a failure to obtain relief. They would thus possess information which would enable them to form a better judgment as to why this measure should be supported. Without knowledge of this kind the hon. gentleman was practically proposing to re-enact that clause of the old Insolvent Act found most objectionable, and to bring things back to that condition which produced the repeal of the Act—the condition enabling a person to go into insolvency after he had dissipated the whole of the assets, and then by a decree of the Court escape from further liability from his debts.

Mr. COLBY said that the Bill before the House was not of the nature understood by the member for West Hastings (Mr. Brown), or which would in any way revive the old Insolvent Act. It simply dealt with the class of pending cases for which provision was made in the Repeal Act of last Session. He would agree with the hon. gentleman if there was any endeavor to change substantially the condition of things created by that Act; for he thought that no law was ever enacted by this Parliament, that had given greater satisfaction to the country and done more substantial good than that repealing the Insolvent Law. He did not agree with the remarks of the hon. member for West Durham. The Act which it was proposed to modify only stood upon the Statute-book three years. The Bill introduced by the member for West Durham, when Minister of Justice, was passed in 1877, and the Insolvent Act was repealed in 1880.

Mr. BLAKE.

that the member for Prince Edward (Mr. McCuaig) desired was to give to the debtors now in the Insolvent Court that measure of relief which existed under the law when their debts were contracted. Nearly all of the debts now represented in the Insolvent Court were not created during the existence of the Act of the hon. member for West Durham, but during a prior period, either under the Act of 1869 or the Act of 1875, the provisions of which were sought to be revived. He (Mr. Colby) believed that this Parliament was responsible in some degree for the condition of that debtor class. The argument of those who endeavored to repeal the Insolvent Act was, that its tendency was to induce persons not fitted for trade to embark in it, and encourage speculation and recklessness in trading, and to promote precisely the evil condition of affairs which existed. Now, if Parliament was responsible for that condition of affairs, he thought it was simply due to those who had suffered thereby to give them that relief which existed under the law which was in force at the time the debts were created. That was simply what was achieved and nothing more. The member for West Durham said that if you revive this law you discharge the debtor as a matter of course. He must have forgotten the very stringent provisions of the law of 1875 with regard to the discharge of a debtor, requiring the consent of a majority of the creditors representing three-fourths of the indebtedness, as also the requirement that the applicant should show to the Court that he had been honest in his transactions, and also careful, and had kept regular books, and that the consent of those creditors had not been obtained by fraud, collusion, or misrepresentations. That was not an evidence of an open door, or broad mode of egress, or a very easy whitewashing method. The law was very stringent, making it extremely difficult for a debtor complying with its conditions to get his discharge. He had been always opposed to that principle of the law, which the member for West Durham introduced, respecting the debtor's discharge. But while they had an Insolvent Act—he (Mr. Colby) did not believe in such an Act at all—but while it existed, and it provided a mode for the discharge of a debtor, it was not reasonable to insist that an estate must pay fifty, sixty, or seventy-five per cent. before he was discharged. It was simply a question of honesty—whether he should be discharged or not. They all knew how estates dwindled away in the hands of official assignees. Hon. members who entertained those views and opposed the Bill introduced by the hon. the Minister of Justice, were voted down by a solid majority. Yet they made out a clear case that the majority of the estates sold would not pay fifty cents on the dollar—the smaller class of estates particularly—after they had been filtered through the assignee's office. Experience showed that it was difficult even for solvent estates to pay fifty cents on the dollar. Consequently a double injustice was done to the debtor, by the stringent clause which the hon. member now sought to modify, and which was incorporated in the Act of 1867, whereby the House departed from the humane principle of the Insolvent Act, and compelled a debtor to do what it was impossible for an honest debtor to do, under the circumstances, which were incident to the winding up of estates. The creditors had it in their power, under the Insolvent Act, at any time when the debtor was unable to meet his liabilities, to bring him under the operation of the law. The creditors having the power to do that which the debtor had not the power to do. Parliament having abolished the principle of voluntary assignments, under which a fifty cent clause might be somewhat logical—because if the debtor had that privilege and neglected to avail himself of it, he might be punished for that neglect—if they neglected to take action until such time as the debtor's estate would not pay fifty cents on the dollar, it was not the fault of the debtor. Under those circumstances, particularly as the cases which were

now in the Insolvency Court were, as a rule, those of debtors whose debts accrued at a period antecedent to the passage of this law, he very heartily supported the proposition of the hon. member for Prince Edward (Mr. McCuaig), which simply meant that there should be the same mode of granting discharges to insolvents as existed under the law which was in force at the time the debts were contracted.

Mr. BÉCHARD. Did they intend to pay or to save themselves under the operation of the law as it existed?

Mr. COLBY. I do not know. There are, of course, honest and dishonest insolvents.

Amendment (Mr. Béchard) six months' hoist negatived on the following division:—

## YEAS:

## Messieurs

Anglin,	Gunn,	Olivier,
Bain,	Hesson,	Paterson (Brant),
Bechard,	Jackson,	Perrault,
Bolduc,	King,	Pinsonneault,
Brown,	Landry,	Rinfret,
Burpee (St. John),	LaRue,	Rouleau,
Burpee (Sunbury),	McCallum,	Rymal,
Cameron (Huron),	McKay,	Scrifer,
Cartwright,	Malouin	Trow,
Charlton,	Merner,	Wiser,
Dumont,	Méthot,	Yeo.—34.
Grandbois,		

## NAYS:

## Messieurs

Alison,	Gillmor,	Mills,
Arkell,	Girouard (Kent),	Mousseau,
Barnard,	Hackett,	Mutart,
Beauchesne,	Haddow,	O'Connor,
Bergeron,	Haggart,	Ogden,
Bill,	Hay,	Orton,
Borden,	Hilliard,	Patterson (Essex),
Boulbee,	Hooper,	Pickard,
Bowell,	Huntington,	Platt,
Bunster,	Ives,	Plumb,
Cameron (Victoria),	Jones,	Pope (Compton),
Carling,	Killam,	Pope (Queen's),
Caron,	Kilvert,	Robertson (Hamilton),
Casgrain,	Kranz,	Rochester,
Cimon,	Lane,	Ross (Middlesex),
Colby,	Langevin,	Royal,
Connell,	Lantier,	Ryan (Marquette),
Costigan,	Laurier,	Ryan (Montreal),
Coughlin,	Little,	Rykert,
Coursol,	Longley,	Scott,
Currier,	Macdonald (King's),	Shaw,
Cuthbert,	Macdonald (Sir John),	Skinner,
Dawson,	McDonald (Cape Breton),	Smith,
Desjardins,	McDonald (Pict u),	Sproule,
Domville,	MacDonnell (Inverness),	Thompson,
Drew,	Macmillan,	Tilley,
Ferguson,	McCarthy,	Tupper,
Fleming,	McCuaig,	Wade,
Fortin,	McDougall,	Wallace (Norfolk),
Fulton,	McLennan,	Wallace (York),
Geoffrion,	McQuade,	Weldon,
Gigault,	McRory,	Williams,
Gillies,		Wright.—99.

Bill read the second time.

## SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 19) To enable the Manitoba South-Western Colonization Railway Company to extend their line of railway, and for other amendments to their Act of Incorporation.—(Mr. Ryan, Marquette.)

Bill (No. 34) to incorporate the Dominion Salvage and Wrecking Company, Limited.—(Mr. Girouard, Jacques Cartier.)

Bill (No. 40) to incorporate "The Bay of Quinté Railway and Navigation Company."—(Mr. White, Hastings.)

Bill (No. 41) to incorporate the Hull Mines Railway Company.—(Mr. Cameron, Huron.)

Bill (No. 42) to amend the Act incorporating "The International Railway Company."—(Mr. Brooks.)

Bill (No. 44) to incorporate the Association known as "J. Winslow Jones and Company, Limited."—(Mr. Brooks.)

House adjourned at Six o'clock.

## HOUSE OF COMMONS.

MONDAY, 7th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## PRIVATE BILL.

Mr. McCARTHY moved the second reading of Bill (No. 10) to remove doubts as to the true construction of section 12 of The Northern Railway Company Act, 1877.

Bill read the second time.

## GRAIN SHIPMENTS FROM HALIFAX.

Mr. BORDEN enquired, Whether any progress has been made in the matter of the shipment of the two cargoes of grain at Halifax, as promised by the Minister of Railways, in a telegram sent to Mr. Doull, President of the Halifax Chamber of Commerce, on the 29th November, 1880; and if so, when the two cargoes will be shipped?

Sir CHARLES TUPPER. One cargo has been shipped, and I expect another cargo will be shipped at an early day.

## RATES ON THE CANADIAN PACIFIC RAILWAY.

Mr. BLAKE enquired, Whether there has been any correspondence between any member of the Government and the Toronto Board of Trade on the subject of rates to be charged on the Canadian Pacific Railway? Whether any agreement has been made on the subject? At what date such agreement, if any, was made; and whether it will be laid on the Table?

Sir CHARLES TUPPER. A communication was received from the Toronto Board of Trade suggesting a clause which would provide for equal mileage rates for the traffic going from Toronto on Ontario railways. That proposal, made by that Board of Trade, as to what would meet their views, was considered unobjectionable and has been agreed to. The date on which that communication was made by me to the President of the Toronto Board was, I think, the 2nd February. I do not see any objection to laying the communication on the Table.

## COAL ON THE SASKATCHEWAN.

Mr. ROYAL enquired, Is the Government aware of the fact that the Hudson's Bay Company have lately given a contract for the getting out of 600 tons of coal on the River Saskatchewan, in the North-West Territories, near Edmonton; and if so, under what conditions have the Hudson's Bay Company been authorized to do so?

Sir CHARLES TUPPER. No application has been received from the Hudson's Bay Company in connection with mining in that locality, and no authority has been granted.

## COAL OIL MONOPOLY.

Mr. ORTON, in moving for a Select Committee to investigate the alleged monopoly in coal oil, and ascertain what legislation can do to remedy the evil, with power to

send for persons, papers and records, said: The subject of this motion is one of considerable interest to a large portion of our people. For a considerable time last year the price of coal oil rose to a very high figure, and that, compared with the cost of production, must have given an immense profit to the small number of men who were engaged in the production and refining of coal oil. The opinion amongst the people of the country, and especially amongst those most deeply interested, namely, the rural population, was that a coal oil ring existed, and under the operation of the protection given to the coal oil industry by the Bill of last Session, the inspection was so much increased above what Parliament had decided would be fair, that the result was the formation of a ring which derived an undue profit from the business. Now, it is a well known fact that coal oil can be produced at about nine cents per gallon. It was retailed a few years ago by the refiners at nine cents per gallon, and they did not suffer any loss. Why coal oil should have risen, therefore, to the extraordinary price of thirty-five or forty cents per gallon is certainly alarming to the consumers of that article. I think that there must be something wrong, and in order to have this matter thoroughly investigated I have given notice of this resolution. I wish to point out how the protection of six cents per wine gallon, given by the Parliament of Canada a few years ago, has been increased through the operation of the Bill passed last Session. In the first place, the cost of inspection of American oil is greater than the cost of inspection of Canadian oil, which gives a difference of two-fifths per cent in favor of Canadian oil in the cost of inspection. I am informed also that the difference in the flash test between American and Canadian oil gives a considerable additional protection above what was considered in the interest of that industry, and the result is that to-day we have a protection in favor of the coal oil industry of close upon ten cents per gallon. During the administration of the late Government one of the strongest cards of the Opposition was the unfairness of giving to the coal oil industry a protection of over 100 per cent. It seems to me rather inconsistent on the part of the present Government, and I regret to state it, to allow the same protection virtually to exist in favor of the coal oil industry which existed under the late Government, and which the Opposition so strongly denounced. I, for one, feel that I would not be consistent if I did not call the attention of the House to this matter, because, when in Opposition I denounced this unfair protection on several occasions. We recollect that during the late Administration, there was a coal oil monopoly by which millions of money were wrung out of the pockets of the people. There are particular circumstances connected with the coal oil industry which do not exist with regard to any other industry in the country, why that business should not have so large a measure of protection. This industry is not subjected to competition like other industries. When the woollen industry is protected, every man in the country possessing capital and enterprise can participate in the profits on that industry, should he desire to invest, and the result is that competition brings down the price to a proper level. But with the coal oil industry it is entirely different. It rests in the hands of a few men, and they have the power of forming a monopoly. I think nothing could be more disastrous to the National Policy than to allow an industry such as this to wring out of the pockets of the people more than a fair profit, as I maintain has been done during the past summer. We find that the amount of coal oil consumed in Canada is something like 3,656,365 gallons. It was retailed at thirty-five cents per gallon, and in some districts as high as forty and forty-five cents, and the amount of profit upon these sales, over and above what is fair and legitimate, would be for the year \$806,800. With regard to the flash test, of course, we all desire to see every safety

Mr. ORTON.

possible afforded to the public; but I think what is safe for the American people ought to be safe for us, and that 115 degrees of temperature, which is the point at which Canadian oil must explode before it can be put on the market, might also be applied with fairness to the American oil. I do not see why there should be any distinction. Upon looking up the various Acts of Parliament I find that in 1868 a law was passed providing a uniform test of 115 degrees. In 1877 the leader of the then Government passed a measure, making the test 105 degrees, and making it uniform. I am informed that there was some Order in Council which I have been unable so far to obtain, by which there was a distinction made between the American oil and the Canadian oil. I suppose the result of that was somewhat unsatisfactory, and last year Parliament passed a new law establishing a low test. I am also credibly informed that the character of our oil has not been improved to any extent by the operation of the Act of last year. Dealers have told me that a great deal of inferior oil has found its way into the market. It becomes, therefore, a matter of grave consideration whether the Government should continue to give this unusual protection to this industry. One of the reasons assigned by coal oil men for so high a protection is that from American crude oil 75 per cent. of live petroleum can be obtained, while from Canadian oil only about 37 per cent. can be obtained. Upon enquiry at the department, I could not ascertain that any scientific test has been made by the department to ascertain whether this is the case or not; but I think we ought to have some definite information on that point. It is also said that in consequence of the lower specific gravity now required, the cost of production has increased. From enquiries I have made, I am of opinion that the public interest does not require a specific gravity lower than 8.07 or, at least, 8.05. The specific gravity could be increased from 8.02 to that point without deteriorating the coal oil, and, I am informed, at much less cost, and the industry could then do with less protection than it has now. It, indeed, becomes a question whether it is advisable to maintain an industry which costs so much. I have been told by persons coming from England to reside in Canada, that the cost of coal oil is greater here than in England, where it is not produced at all. When an industry has so high a protection, and those connected with it abuse their privilege, they ought at any rate to be taught a lesson. I draw attention of the Government to this matter more particularly in the interests of the rural population. We hear a great deal about the manufacturers and their interests; we hear that protection to manufacturers caused the creation of the National Policy. I do not wish to detract from the credit due to our leading manufacturers for their efforts in that great movement, but it was the great change which took place in public opinion among the rural population which enables this Government by so large a majority to carry into effect that policy of which we are so proud, and it is with the desire of perpetuating the National Policy that I draw the attention of the Government to the anomaly which exists in the case of coal oil, and which may do more to bring odium on the National Policy than anything else. I am informed that I shall not receive the support of the Government in the view I take, which I regret very much, although I understand that they intend, by means of a new instrument, to secure more uniformity in the flash test. This will not strike at the root of the evil, however, and I should like to see them go very much further.

Mr. MOUSSEAU. My hon. friend deserves great credit for the energy and activity with which he always attends to the interests of his constituents, and especially those of the farming community. In this instance the hon. gentleman in his zeal has done injustice to the policy of the Government. Mr. Brunel, in his able report, clearly exposed the difficulties which were

met with in treating this important matter. In fact, in their tests the inspectors could never obtain any certainty or exactness as to results, and it has been conclusively proven, as the consequence of numerous experiments with the same oil made in Ottawa and in Toronto, the difference in results varied from five to twenty, or fifteen degrees. It is impossible such a state of things can be allowed to continue, and to remedy the evil the Government have ordered a number of Dr. Edwards' improved instruments, which are fully described on page six of Brunel's report of last year, and their superiority made manifest. It will be very difficult to decide on any change in policy until, at all events, decisive tests have been made with the improved means at the disposal of the Government. The Government will introduce a measure this Session to authorize the use of these instruments. A law must be enacted in this regard as has been done in England, authorizing the use of Taglioni's pyrometer, and which describes the instrument and various modes of using it. A similar enactment must be provided in this instance. Tests have been made with Edwards' instrument, of both Canadian and American oil, and if results prove accurate, the Government will be very happy to put both oils on the same footing with regard to flash test, though this will not probably be done until next Session. For these reasons I would ask my hon. friend to have the kindness to withdraw this motion.

Motion withdrawn.

#### NOVA SCOTIA RAILWAYS.

Mr. ROBERTSON (Shelburne), in moving for copies of all papers and correspondence between the Local Government of Nova Scotia and the Department of Railways in reference to the proposed future management of the lines of railway now controlled by the Western Counties, Windsor and Annapolis and Eastern Extension Railway Companies, together with copies of all proposals recently submitted to the Dominion Government by Messrs. Holmes, White and Troop, members of the Nova Scotian Government, said it was rumored the Government of Nova Scotia intended taking possession of these lines, and that they had asked, during the past month, very important exceptions in the way of running powers over the Intercolonial. It was also rumored a minor Syndicate had been formed to take charge of these roads and run them in the future. He had no positive information on the subject, and made this motion to ascertain all information that could be obtained. Heretofore the Treasury of Nova Scotia was supposed to be in a very poor state, yet this Session no less than two important delegations from that Government had come here, the first of which partook more of the nature of a pleasure than a business trip.

Motion agreed to.

#### APPOINTMENT OF OFFICIAL ASSIGNEES.

Mr. VANASSE moved for a statement shewing:

1. The number of official assignees, appointed under the Insolvent Act of 1875, and the Acts amending it, from the 1st June, 1875, to the 17th September, 1878.
2. The number of cases of insolvency in the Districts of Richelieu and of Montreal, during the same period.
3. To what insolvent cases these official assignees were appointed.
4. The number of cases of insolvency discharged by those two districts.
5. The names of the official assignees who have obtained their discharge, in conformity with the provisions of the Insolvent Act of 1875, and the Acts amending the same.
6. The names of the official assignees who have paid over to the Government of Canada the dividends remaining unclaimed in the said cases of insolvency, and the amount of each dividend thus paid over to the Government.

Mr. BLAKE. The motion of the hon. gentleman is in part directed to particular districts, but in part is general in form. The first statement asked for, namely, the appoint-

ment under the Act of 1875, and the Acts amending it, from the 1st June, 1875, until September, 1878, till the repeal of the Insolvent Act, might be useful. The second, third and fourth statements are special, and I do not interfere with them. But the fifth ought to apply as well to the assignees appointed since as before the date mentioned, namely, those who obtained their discharge since 1878, as well as before that year; and the motion might be amended as regards the sixth statement, in a similar sense, to cover the period from the 17th September, 1878, up to the repeal of the Insolvent Act.

Mr. LANGEVIN. I have no objection to amend the motion in the way suggested.

Motion, as amended, agreed to.

#### DOMINION PURCHASE OF THE Q. M. O. & O. RAILWAY.

Mr. BÉCHARD, in the absence of Mr. LAURIER, moved for copy of all correspondence between the Government and the Provincial Government of Quebec, concerning the purchase, by the Dominion of Canada, of the Quebec, Montreal, Ottawa and Occidental Railway, or the subsidizing of the same. He said: During the course of last Session, the hon. member for Quebec East proposed the same motion, when the answer given was that such a correspondence did not then exist. I do not dispute the accuracy of that answer; but I have reason to believe that, since last Session, such a correspondence has taken place between the Dominion and Quebec Governments. For, in the Budget Speech of the Provincial Treasurer of Quebec, made during the last Session of the Quebec Legislature in June, occurs the following passage:—

"We, therefore, laid our views before the Dominion Cabinet for consideration. I contend that we are as much entitled to aid towards the cost of the Government railway from Quebec to Ottawa as the Canada Central to the Dominion subsidy paid that road. While the building of that road may, and doubtless will, benefit the North Shore Railway, this latter road is equally necessary, as affording the shortest and most direct route to the ports of St. John and Halifax from the West, and is equally entitled to help from the Dominion Treasury. We, therefore, ask either that the Dominion assume the Q. M. O. and O. Railway as part of the Canada Pacific Railway, or that we be paid a subsidy equal to that paid per mile to the Canada Central. These questions are under consideration at Ottawa, and we wait a decision thereon."

Now, from this passage anyone would infer that such a correspondence had taken place between the Dominion Government and the Quebec Government since the last Session of the Federal Parliament. It is for a copy of such correspondence, therefore, that I have the honor, in the absence of the Hon. Mr. Laurier, to propose this motion.

Mr. LANGEVIN. The inference drawn by the hon. gentleman from the speech of the Treasurer of Quebec is quite reasonable. But, perhaps, the hon. mover might also draw the conclusion that, without actual correspondence, there might be simply communications between the two Governments—might be no correspondence after all. I am not sure whether there is any. Nevertheless, I have no objection to the motion, and will bring down any correspondence that may exist. If a correspondence is actually proceeding, of course the hon. gentleman will understand that the answer to the motion will have to be delayed till the correspondence is completed.

Motion agreed to.

#### BOUNDARIES OF ONTARIO AND QUEBEC.

Mr. DAWSON, in moving for return of all correspondence which has taken place within the past year between the Government of the Dominion and the Imperial Government, on matters relating to the boundaries of the Provinces of Ontario and Quebec, said: When this question came up last year I endeavored to show

that, as it was not generally understood, a Committee was necessary to investigate it. A Committee was appointed, and its report now before the House will, I think, be found to contain a good deal of valuable information. Just before the recess the hon. member for Bothwell (Mr. Mills) took occasion to bring up the question on a motion for a return of applications for timber limits north of the boundary of the former Province of Quebec, as constituted by the proclamation of 1763, but I cannot see what bearing his motion had on the question. On that motion the hon. member went into a long argument in which he brought up the opinions of eminent men who had taken part in the debate on the Quebec Act in 1774, as reported in the Cavendish debates, to show that a certain line was the one intended for the western boundary of the enlarged Province of Quebec; but I am of opinion that in seeking for an interpretation of the Act we should not go beyond the Act itself. If, as the hon. gentleman says, it came down in one form, as it no doubt did, from the House of Lords, and was finally passed after full discussion in another, we must take it in its amended form, in the form, in fact, in which it became law. The hon. gentleman endeavored to show that if the due north line from the point of junction of the Ohio and Mississippi is to be adopted the line alone must go north and not the whole territory to the east of it, and that, therefore, the Province of Quebec must still be bounded on the north by the line indicated in the proclamation of 1763. What he means by this it is hard to conceive, and I do not think he will find many to coincide with him in such an extraordinary opinion. The Act is very clear as to the whole territory going north to the southern boundary of the Hudson's Bay Company's territories, and that description as to a northern boundary must hold good wherever the limitary line on the west may be whether it be the Mississippi, the due north line, or, as defined in the later commissions to Governors, a line at the entrance to Lake Superior. The hon. gentleman has said and written a great deal about the former possessions of France at Hudson's Bay, and her claims to that country on account of priority of discovery; but all her claims, whatever they might have been, were finally settled by the Treaty of Utrecht in 1713, and the Attorney General of Ontario commenced his argument before the arbitrators, by saying very properly, as I think, that the Treaty of Utrecht afforded the only rational and true basis for ascertaining the boundary, that is, as between the French and English possessions. Unfortunately the question has, as I have often said, been encumbered with a great mass of extraneous and irrelevant matter. We have histories of the early occupation of the French at Hudson's Bay, of Indian treaties, of what the Right Hon. Edmund Burke said and did in reference to the boundaries of the State of New York of which he was the agent; but if we are to abide by the Act of 1774 and succeeding Acts, I do not see that all these opinions, histories, and extraneous matters are of any great value to the discussion. The hon. member for Bothwell and the Attorney General for Ontario, claim that their book of documents and other productions contain everything of value bearing on the subject, and it has been stated in another Legislature that:

"The arbitrators had before them all the evidence obtainable from the most diligent researches both in America and Europe, or brought to light during the many discussions bearing on the subject that have taken place during the past century."

This may, perhaps, be the case from their point of view, but whatever may be the merit of their works regarding the past century, the labors of the Committee of last Session showed that there was a great deal which their books did not contain in reference to the present century, and that much of what they did contain was rather mixed, and not arranged in such a manner as to admit of a very clear conception of the case being arrived at by the ordinary reader. A great deal that was wanting in the book of documents can

Mr. DAWSON.

be found in the report of the Committee of last year, or in the evidence accompanying it. The book of documents is rather silent with regard to the state of things west of the water-shed during a certain very interesting period. We see nothing in it which would lead to a clear conception of the colony of Assiniboia, or of its being recognized by the Imperial Government—there is nothing in the book of documents of the country west of the height of land having been formed into a Bishopruck, or of some other acts of recognition under the sanction of the Imperial Government—nothing of Sir John Coape Sherbrooke's celebrated proclamation, which fixed so clearly the locality to which the Act of 1803 respecting the Indian territories was intended to apply and did apply. The book of documents does not give very fully the opinions of counsel on the Hudson's Bay Company's claims from the days of Lord Mansfield down to the time of Lord Abinger, but all these are supplied in the report of the Committee of last year. In fact, they were considerably and kindly furnished to the Committee by the Hon. Donald A. Smith, a gentleman whose opinions, I am sure, my hon. friend from Bothwell will receive with respect. This book of documents is, in fact, as remarkable for what it does not contain as for what it does contain, and if it was the only source of information, it is not to be wondered at that the Legislature of Ontario should have been led to pass a series of resolutions which, with better information, it may be assumed it would not have passed. This is a question removed from ordinary politics, a question which must be judged on its merits, a question which rests on the doings of by-gone generations and on Acts of Parliament and the exercise of the royal prerogative in former years. I shall confine myself on this occasion to a particular view of the subject which, in my humble opinion, has not hitherto received sufficient attention, except in one instance, when it was brought forward by the Attorney General for Ontario in his statement of the case and in his very able argument before the arbitrators—I refer to the Acts done under the royal prerogative, to the importance of which sufficient attention has not, I think, been hitherto directed. The Attorney General for Ontario very properly claimed that the Act of 1774 provided for the exercise of the royal prerogative, and that all Acts of prerogative under that Act were as much law as the Act itself. In order to understand this it may be well to quote from the Act which runs as follows:—

"That all the territories, islands and countries in North America, belonging to the Crown of Great Britain, bounded on the south by a line from the Bay of Chaleurs, along the high lands which divide the rivers that empty themselves into the River St. Lawrence from those which fall into the sea, to a point in forty-five degrees northern latitude, on the eastern bank of the River Connecticut, keeping the same latitude directly west, through the Lake Champlain, until, in the same latitude, it meets the River St. Lawrence; from thence up the eastern bank of the said river to the Lake Ontario; thence through the Lake Ontario and the river commonly called Niagara; and thence along by the eastern and south-eastern bank of Lake Erie, following the said bank until the same shall be intersected by the northern boundary granted by the charter of the Province of Pennsylvania, in case the same shall be so intersected; and from thence along the said northern and western boundaries of the said Province, until the said western boundary strike the Ohio; but in case the said bank of the said lake shall not be found to be so intersected, then following the said bank until it shall arrive at that point of the said bank which shall be nearest to the north-western angle of the said Province of Pennsylvania; and thence, by a right line, to the said north-western angle of the said Province; and thence along the western boundary of the said Province until it strike the River Ohio; and along the bank of the said river, westward, to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the Merchants Adventurers of England, trading to Hudson's Bay; and also all such territories, islands and countries, which have, since the tenth day of February, one thousand seven hundred and sixty-three, been made part of the Government of Newfoundland, be, and they are hereby, during His Majesty's pleasure, annexed to, and made part and parcel of the Province of Quebec as created and established by the said Royal proclamation of the seventh day of October, one thousand seven hundred and sixty-three."

The Act of 1774, the House will thus see, while it indicated a certain boundary, also provided for the exercise of the

prerogative, and left to the King the power of arranging the boundaries at his pleasure. On this subject the Attorney-General for Ontario expressed himself very clearly and with great force; it is only to be regretted that he had not followed his own reasoning to its logical conclusion. In the statement of the case for Ontario, page 5 he says:

"The Crown had an undoubted right to add to the boundaries of the Province, and that if the boundaries given to it by the Commissioners are not the identical boundaries which the Statute provided for, and which were thereby to continue during His Majesty's pleasure, and if the Commissioners assigned to the Province a larger area than the Statute had described, the Crown had a right to make, and did make, the addition."

And in his argument before the arbitrators he remarks as follows:—

"Because the Crown had a right to add to the territory of the Province. If the Statute did not give the territory to the banks of the Mississippi, the Crown had, by virtue of the Royal prerogative, a right to add to the limits of the Province; and the Commission in which territory up to and along the eastern bank of the Mississippi was given to the Province, had the effect of giving to it that boundary, supposing that the Statute had not given it."

Further, he says:

"Because the Crown had the right to place the territory in the Province, though it could be made to appear that the territory in some sense belonged to the Hudson's Bay Company, they were only private persons. If the Crown had chosen to put the whole of the Hudson's Bay territory into the Province, the Crown had a right to do so."

A little further on, he says:

"The Crown would not be interfering with their property by placing it under a certain government."

And he goes on as follows:—

"I have said the Crown had a right to include additional territory beyond that given by Statute if the Crown thought proper. An illustration of this prerogative is afforded by the Act of 1774, which provides for additions to the Province of Quebec as theretofore given by the proclamation. The Act provides that these additions, which Parliament itself was making, were to continue during His Majesty's pleasure only; although Parliament was making an addition, the prerogative in regard to even that territory was not interfered with; and a *fortiori* the prerogative right of giving still further territory to the Province was not intended to have been interfered with by the Act. As the Statute provided that the additions thereby specified were to be during His Majesty's pleasure, if His Majesty's pleasure should interfere with that provision being carried out it would so far be in effect a repeal of the Act, and would be a stronger exercise of the Royal prerogative than a further addition to the territory provided by the Statute would be."

Again he says (page 10):

"The Constitutional Act of 1791, implies the same right of the Crown to exercise the Royal prerogative in the arrangement of territorial limits. That Act was passed in contemplation of the division of the Province of Canada into the two Provinces of Upper and Lower Canada, and it made provision for the Government of each of those Provinces. But the Act did not itself make the division; it provided that when the division was made, the Government should be as the Act describes. This is the enactment. 'His Majesty has been pleased to signify, by his Message to both Houses of Parliament, his Royal intention to divide his Province of Quebec into two separate Provinces,' etc. It was to be done, if done at all, by the Royal prerogative. His Majesty might divide the Province into two in any way he chose; and all that Parliament did by the Act of 1791 was to provide that, in case of such a division by the Crown, each of the two sections should be subject to the Government which the Statute provided for it. Another illustration of such an exercise of the prerogative is in the proclamation of 1763, whereby the Crown created four new Provinces: Prince Edward Island, or St. John's Island, as it was sometimes called in those days with the lesser islands, were added to Nova Scotia by the same prerogative."

Again (on page 10):

"Mr. Burke's letter to his constituents [printed in the book of documents] contains a reference to this matter—the paragraph is towards the foot of page 385. He says: 'My next object of enquiry, therefore, was upon what principles the Board of Trade would, in the future discussions which must inevitably and speedily arise, determine what belonged to you and what to Canada. I was told that the settled uniform practice of the Board of Trade was this: That in questions of boundary where the jurisdiction and soil in both the litigating Provinces belonged to the Crown, there was no rule but the King's will, and that he might allot as he pleased, to the one or the other. They said also that under these circumstances, even where the King had actually adjudged a territory to one Province, he might afterwards change the boundary; or, if he thought fit, erect the parts into separate and new governments at his discretion.'"

"Mr. Burke did not approve of the extensive claims of the Crown in the matter of prerogative, as maintained by the Board of Trade; he thought the doctrine was carried too far; still, he admitted that it was

the uniform settled practice of the distinguished persons who constituted the Board of Trade to act on that principle. I find nothing against that view; there seems to be no doubt that the Crown had the legal power stated, and that, if the Quebec Act did not give the Province of Quebec as large a territory as the commissions of the Governors afterwards provided for, these commissions were sufficient to give the additional territory to the Province."

On page 12 he remarks as follows:—

"In seven commissions, from that issued to the Earl of Durham, March 30th, 1838, to that of Lord Elgin, October 1st, 1846, and also in the two commissions to Sir John Colborne, and the Right Hon. Charles P. Thompson, as Captain-General and Governor in Chief of Upper Canada, dated respectively December 13th, 1838, and September 6th, 1839, the line of division between Upper and Lower Canada is stated to reach the shore of Hudson's Bay by a line drawn due north from the head of said lake [Temiscaming] until it strikes the shore of Hudson's Bay.

"These seven commissions use the word 'shore.' It is not to be supposed that there was a mistake in substituting the word 'shore' for the words 'boundary line.'"

On page 13 he goes on:

"The Crown had power to include within the limits of the Province part of the territory of the company, as well as that of any private owner of land, if such was the Royal will."

And on page 24, says:

"If there should seem to the arbitrators to be too much doubt on the subject to enable them to determine with absolute precision the northern boundary of the Province, a boundary should be assigned, which would give to the Province the full territory which the commissions to the Governors definitively provided for."

These views are remarkably clear, and on reference to the Act of 1774 it will be seen that it did not carry the northern boundary of the then Province of Quebec north of the southern boundary of the Hudson's Bay Company's territories, and it is equally clear that the first commissions issued under it described the territories of the Merchant Adventurers of England as coming as far south as the Mississippi, at least. These territories, in fact, were to be found on the Mississippi according to these commissions, and the Attorney General, in so far as he claims that any extension further north must be based on commissions issued under the Royal prerogative, is perfectly logical; it remains for us to see what these commissions say on the subject. The first commission issued subsequent to the passing of the Act was on the 27th September, 1774, to Sir Guy Carleton, which runs as follows:—

"And further know you, that we, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said Guy Carleton, of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint you, the said Guy Carleton, to be our Captain General and Governor in Chief in and over our Province of Quebec, in America, comprehending all our territories, islands and countries in North America, bounded on the south by a line from the Bay of Chaleurs, along the high lands which divide the rivers that empty themselves into the River St. Lawrence from those which fall into the sea, to a point in forty-five degrees of northern latitude, on the eastern bank of the River Connecticut, keeping the same latitude directly west, through the Lake Champlain, until in the same latitude, it meets with the River St. Lawrence; from thence up the eastern bank of the said river to the Lake Ontario, thence through the Lake Ontario, and the river commonly called Niagara, and thence along by the eastern and south-eastern bank of Lake Erie, following the said bank until the same shall be intersected by the northern boundary granted by the charter of the Province of Pennsylvania, in case the same shall be so intersected, and from thence along the said northern and western boundaries to the said Province, until the said western boundary strikes the Ohio; but in case the bank of the said lake shall not be found so intersected, then following the said bank until it shall arrive at that point of the said bank which shall be nearest to the north-western angle of the said Province of Pennsylvania, and thence by a right line to the said north-western angle of the said Province, and thence along the western boundary of the said Province until it strikes the River Ohio, and along the bank of the said river westward to the banks of the Mississippi, and northward along the eastern bank of the said river to the southern boundary of the territory granted to the Merchant Adventurers of England trading to Hudson's Bay; and also all such territories, islands and countries which have, since the tenth day of February, one thousand seven hundred and sixty-three, been made part of the Government of Newfoundland as aforesaid, together with all the rights, members and appurtenances whatsoever thereunto belonging."

The next was the commission of 18th Sept., 1777, to Sir Frederick Haldimand, and it is precisely the same as the last. It is quite evident that, taking these commissions by themselves, and supposing them to be an expression of the

King's will, which, in an official way we must believe them to have been, they most decidedly, as in the Attorney General of Ontario's view of the case, carried the western boundary of the then Province of Quebec to the Mississippi; and (always admitting the authority of these commissions) the Mississippi continued to be the western boundary of Quebec until the success of the War of Independence swept the whole country to the south and west of the great lakes into the territory of the Confederacy of the United States. In 1783 the treaty of peace between Great Britain and the United States was concluded, and in 1786 a new commission with an entirely new description was issued to Sir Guy Carleton, then once more Captain General and Governor in Chief of the Province of Quebec. This description followed the wording of the treaty, and ran as follows:—

"And further know ye that we, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said Sir Guy Carleton, of our especial grace certain knowledge and mere motion, have thought fit to appoint you, the said Sir Guy Carleton, to be our Captain General and Governor in Chief in and over our Province of Quebec, in America, comprehending all our territories, islands and countries in North America, bounded on the south by a line from the Bay of Chaleurs, along the high lands which divide the rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean, to the north-westmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on the said latitude until it strikes the River Iroquois or Ojatarqui; thence along the middle of the said river into Lake Ontario; through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior, thence through Lake Superior northward of the Isles Royal and Philippeaux to the Long lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods to the said Lake of the Woods; thence through the said lake to the most north-western point thereof and from thence on a due west course to the River Mississippi; and northward to the southern boundary of the territory granted to the Merchant Adventurers of England trading to Hudson's Bay; and also such territories, islands and countries which have, since the 10th of February, 1763, been made part of the Government of Newfoundland, together with all the rights, members and appurtenances whatsoever thereunto belonging."

I may here remark that a great deal has been said about the Mississippi, and the line running westward to it, and I have been accused of ignoring the treaty of amity between the United States and England which took place in 1794. All that that treaty did was simply to leave the Commissioners at liberty to amend a discrepancy by drawing a line which would meet the views of both nations. It was merely permissive, and I have yet to learn that a line adopted under such circumstances, in 1794, could affect the boundaries of a Province as described in a commission, in 1786, more especially as, at the time the treaty was concluded, the commission in question had been completely and absolutely revoked. The admirable map produced by the Government of Ontario, shows very clearly where the Mississippi of those days was supposed to be, and Mr. Kitchen's very elaborate map, which will be found published in one of the volumes produced by the hon. member for Bothwell himself, shows conclusively that the line running due west from the Lake of the Woods was not intended to strike, and could not have struck, the Mississippi, but was meant to be carried on to the Missouri, which was the Upper Mississippi of those days; however, to let that matter pass for the present, as not bearing on the particular point under discussion, it is quite evident that the commission of 1786 to Sir Guy Carleton, did carry the boundary of Quebec to the northward of the St. Lawrence water-shed and westward to the Mississippi, and the Attorney-General for Ontario is quite logical in claiming that it did so, always assuming that the commissions gave expression to the Royal will. But in 1791 there came another change, and the Province of Quebec was divided by what is now known as "the Constitutional Act," into the two Provinces of Upper and Lower

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Canada. The commission of 22nd April, 1786, was then completely and absolutely revoked, and a new commission, limiting the Province of Upper Canada to so much as was left of the former Province of Quebec, as existing previous to the date of that revoked commission, as lay to the westward of the dividing line, issued. That revoked commission is the only one in which the description, without doubt, carries the boundaries of the old Province of Quebec to the northward of the water-shed. On the 12th September, 1791, a new commission was issued, and it is the most important one in the whole series of commissions as, in fact, the description therein contained was not altered for a period of forty-seven years. I shall read it to the House, and I would ask particular attention to it:

"Whereas, we did by Our Letters Patent, under Our Great Seal of Great Britain, bearing date the twenty-second day of April, in the twenty-sixth year of Our Reign, constitute and appoint you, Guy, Lord Dorchester [then Sir Guy Carleton], to be our Captain General and Governor in Chief in and over our Province of Quebec, in America, comprehending all Our Territories, Islands and Countries in North America then bounded, as in Our said recited Letters Patent was mentioned and expressed.

"Now Know Ye, that we have revoked, determined, and by these presents do revoke and determine, the said recited Letters Patent, and every clause, article or thing therein contained.

"And whereas, we have thought fit by Our order, made in Our Privy Council on the nineteenth day of August, one thousand seven hundred and ninety-one, to divide Our said Province of Quebec into two separate Provinces, to be called the Province of Upper Canada and the Province of Lower Canada, by a line to commence at a stone boundary on the north bank of the Lake St. Francis at the Cove West of the Pointe au Baudet, in the limit between the Township of Lancaster and the Seigneurie of New Longueuil, running along the said limit to the direction of north thirty-four degrees west of the westernmost angle of the said Seigneurie of New Longueuil; thence along the north-western boundary of the Seigneurie of Vaudreuil, running north twenty-five degrees east, until it strikes the Ottawa River, to ascend the said river into the Lake Temiscaming, and from the head of the said lake to a line drawn due north until it strikes the boundary line of Hudson's Bay; the Province of Upper Canada to comprehend all such lands, territories and islands lying to the westward of the said line of division, as were part of Our said Province of Quebec, and the Province of Lower Canada to comprehend all such lands, territories and islands lying to the eastward of the said line of division, as were part of Our said Province of Quebec.

"And whereas, by an Act passed in the present year of Our reign, intitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intitled 'An Act for making more effectual provision for the Government of Quebec, in North America, and to make further provision for the Government of the said Province,' further provision is hereby made for the good government and prosperity of our said Provinces of Upper and Lower Canada.

"Further Know Ye, that we, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said Guy, Lord Dorchester, of Our special grace, certain knowledge and mere motion, have thought fit to constitute and appoint you, the said Guy, Lord Dorchester, to be Our Captain General and Governor in Chief of Our said Province of Upper Canada, and our said Province of Lower Canada, respectively, bounded as hereintofore described."

This commission cannot be construed as carrying the boundary to the north of the water-shed, and taken in connection with the instructions issued under it, which are as follows:—

"With these Our instructions, you will receive Our Commission under our Great Seal of Great Britain, constituting you Our Captain-General and Governor in Chief in and over our Provinces of Upper Canada and Lower Canada, bounded as in our said Commission is particularly expressed."

It is perfectly clear that no enlargement was intended, but simply the division of the former Province into two. Now, whether Upper Canada would be bounded according to this commission by the Mississippi line or as much of it as remained to Great Britain or the due north line, may be an open question; the due north line has the decision of eminent judges in its favor, but they went entirely by the description in the Act, and do not seem to have been much impressed by the commissions; however this may be, there can be no doubt that the description we have been considering held good from 12th September, 1791, until the 30th March 1838, when an entirely new departure was taken by the Imperial Government in the matter of the boundary descrip-

tions, and the following commission issued to the Earl of Durham :

"Our said Province of Lower Canada; the said Province being bounded by the adjacent Province of Upper Canada, and the boundary line between the said Provinces commencing at a stone boundary on the north bank of Lake St. Francis, at the cove west of the Point au Baudet, in the limit between the Townships of Lancaster and the Seigneurie of New Longueuil, running along the said limit in the direction of north, thirty-four degrees west, to the westernmost angle of the said Seigneurie of New Longueuil; thence along the north-western boundary of the Seigneurie of Vaudreuil, running north, twenty-five degrees east, until it strikes the Ottawa River, to ascend the said river into the Lake Temiscaming; and which said Province of Lower Canada is also bounded by a line drawn due north from the head of the said lake until it strikes the shore of Hudson's Bay.

"Our said Province of Upper Canada; the said Province being bounded on the east by the line dividing that Province from Lower Canada, beginning at a stone boundary on the north bank of the Lake St. Francis, at a Cove west of the Point au Baudet in the limit between the Township of Lancaster and the Seigneurie of New Longueuil, running along the said limit in the direction of north, thirty-four degrees west to the westernmost angle of the said Seigneurie of New Longueuil, thence along the north-western boundary of the Seigneurie of Vaudreuil, running north twenty-five degrees east until it strikes the Ottawa River, to ascend the said river into the Lake Temiscaming, the said Province of Upper Canada being also bounded by a line drawn due north from the head of the said lake until it reaches the shore of Hudson's Bay; the said Province of Upper Canada being bounded on the south, beginning at the said stone boundary between Lancaster and Longueuil, by the Lake St. Francis, the River St. Lawrence, the Lake of the Thousand Islands, Lake Ontario, the River Niagara, which falls into Lake Erie, and along the middle of that lake; on the west, by the channel of Detroit, Lake St. Clair, up the River St. Clair, Lake Huron, the west shore of Drummond Island, that of St. Joseph and Sugar Island, thence into Lake Superior."

This description was continued in all subsequent commissions in which descriptions of boundaries were given. It will be observed that in the commission of 1766 the description ran as follows: After describing the eastern section it continues:

"Thence along the middle of the said river into Lake Ontario, through the middle of the said lake until it strikes the communication by water between that lake and Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence to the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward to Isles Royal and Phillippeaux to the Long Lake; thence to the middle of the said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof; and from thence on a due west course to the River Mississippi."

That commission was, as I have stated, revoked, and it will be seen how very unlike the description therein contained is to that of the commission of 1838. In the latter it will be observed that the description runs as follows:—

"The said Province of Upper Canada being bounded on the south beginning at the said stone boundary between Lancaster and Longueuil by the Lake St. Francis, the River St. Lawrence, the Lake of the Thousand Islands, Lake Ontario, the River Niagara, which falls (leads) into the Lake Erie, and along the middle of that lake; on the west by the channel of the Detroit, Lake St. Clair up the River St. Clair, Lake Huron, the west shore of Drummond Island, that of St. Joseph and Sugar Island, thence into Lake Superior."

The Attorney General for Ontario in his argument before the arbitrators, said that no one could suppose that the southern boundary of Ontario was to stop there, but it is not a southern boundary that was being described at that particular point, but a western boundary; on reference to the description it will be seen that the southern boundary stops at the head of Lake Erie, and then the description goes on as follows:—

"On the west by the channel of Detroit, Lake St. Clair, up the River St. Clair, the west shore of Drummond Island, that of St. Joseph and Sugar Island, thence into Lake Superior."

And that is in reality a boundary on the west as will be seen on reference to the map; the words "on the west" would not apply to a boundary carried completely through Lake Superior, inasmuch as over a very long distance in that lake, between Isle Chapeau and Pigeon River, the course of the International boundary line is to the south of west, and how could a boundary on the west run to the

south of west? It will be observed, also, that the expression "north of Isles Royal and Phillippeaux," as used in the Treaty of 1783 and in the commission of 1786, is entirely dropped, and it cannot be supposed that the dropping of that expression and the limiting of the western boundary line to the entrance of Lake Superior was not intentional. No one who looks closely into the matter can suppose it to have been otherwise than intentional, for the description was evidently drawn with great care and circumspection. I shall now leave this boundary line on the west at the point where, according to the description in the commission last quoted, it goes "into Lake Superior," and ask the House to accompany me for a little while to another region where, as I shall presently show, circumstances had arisen which rendered it impossible that the line could have been carried through Lake Superior; which make it quite evident, in fact, that the Imperial authorities had no intention whatever of running it so far to the westward as to interfere with then existing rights, with judicial decisions or the Acts respecting the Indian territories. Let us for a moment consider the condition of the North-West Territories at the end of the past and the beginning of the present century: We will find there two great rival companies struggling for the mastery—the North-West Company of Canada and the Hudson's Bay Company. At that time the Hudson's Bay Company had been greatly reduced by the long continued opposition it had met with in its operations. The North-West Company was great and prosperous and it was under the guidance of men of pre-eminent ability, some of whose names are likely to live for ever in the history of the country. The rivalries between the two companies had led to bloodshed and war, and disturbances were rife from the shores of Lake Superior to the plains of the West. In 1803, the Act 43 George III, chapter 128 was passed, and the preamble of that Act runs as follows:—

"Whereas crimes and offences have been committed in the Indian territories and other parts of America, not within the limits of the Provinces of Lower or Upper Canada, or either of them, or of the jurisdiction of any of the Courts established in those Provinces, or within the limits of any civil government of the United States of America, and are therefore not cognizable by any jurisdiction whatever, and by reason thereof great crimes and offences have gone and may hereafter go unpunished and greatly increase."

There can be no question as to the localities where the crimes which led to the passing of this Act were committed. Lord Selkirk gives a detail of many of them. Sir Alexander Mackenzie refers to disturbances on the tributaries of the Red River, and on reference to the report of the Committee of last Session, it will be seen that the Hon. Donald A. Smith, than whom no one should have a more thorough acquaintance with the affairs of the North-West, says that disturbances were general over the territory, and that several officers of the Hudson's Bay Company were killed on the waters of the Moose and Albany. Notwithstanding this Act, which gave jurisdiction to the Canadian Courts in the Indian territories of the North-West, the disturbances continued to extend and increase. In 1809, one McDonell, a prominent fur trader, was killed at Eagle Lake, and his slayer, one Mowat, was taken down and tried at Montreal, where he was found guilty of manslaughter, the crime being held by the Court to have been committed within the Indian territories, and beyond the boundaries of Upper Canada or Lower Canada, or either of them. Eagle Lake, I may say, is now a station on the Lake Superior section of the Pacific Railway, and it is far within the territories covered by the award of the arbitrators in 1878. War and bloodshed continued throughout the territories, and culminated eventually in a battle at Assiniboia, in which the Governor lost his life; and in 1816 a proclamation, which runs as follows, was issued by His Excellency Sir John Coape Sherbrooke:—

"Whereas in and by a certain Statute of the Parliament of the United Kingdom of Great Britain and Ireland, made and passed in the forty-third year of His Majesty's Reign, intituled: 'An Act for extending

the jurisdiction of the Courts of Justice in the Provinces of Lower Canada and Upper Canada, to the trial and punishment of persons guilty of crimes and offences within certain parts of North America, adjoining the said Provinces, it is amongst other things enacted and declared that from and after the passing of the said Statute, 'All offences committed within any of the Indian territories or parts of America not within the limits of either of the said Provinces of Lower or Upper Canada, or of any civil government of the United States of America, shall and be deemed to be offences of the same nature and shall be tried in the same manner and subject to the same punishment as if the same had been committed within the Province of Lower or Upper Canada.'

"And whereas, under and by virtue of the above in part recited Statute, justices of the peace have been duly nominated and appointed with power and authority to apprehend within the Indian territories aforesaid, and to convey to this Province of Lower Canada for trial, all and every person and persons guilty of any crime or offence whatever:

"And whereas there is reason to believe that divers breaches of the peace, by acts of force and violence, have lately been committed within the aforesaid Indian territories, and jurisdiction of the aforesaid justices of the peace:

"I have therefore thought fit, and by and with the advice of His Majesty's Executive Council of and for the Province of Lower Canada, to issue this proclamation, for the purpose of bringing to punishment all persons who may have been or shall be guilty of any such act or acts of force or violence as aforesaid, or other crime and offence whatever, and to deter all others from following their pernicious example, thereby requiring all His Majesty's subjects and others within the said Indian territories, to avoid and to discourage all acts of force and violence whatsoever, and all proceedings whatever tending to produce tumults and riots, or in any way to disturb the public peace:

"And I do hereby strictly charge and command all justices of the peace so as aforesaid nominated and appointed under and by virtue of the above-mentioned Statute, and all magistrates throughout this Province, and do require all others of His Majesty's subjects, generally in their several and respective stations, to make diligent enquiry and search to discover, apprehend and commit, or cause to be committed to lawful custody for trial, in due course of law, pursuant to the provisions in the above-mentioned Statute contained, all persons who have been, or shall be guilty of any act or acts of force or violence as aforesaid, nor of any other crime or crimes, offence and offences within the said Indian territories, to the end that the laws may be carried into prompt execution against all such offenders, for the preservation of peace and good order therein."

This was clearly an official act under the highest authority then existing, fixing the localities where the disturbances had been committed as Indian territories beyond the boundaries of Upper or Lower Canada or either of them. In the same year two commissioners were appointed by the Government of Quebec, which had the supreme jurisdiction to inquire into the causes of the disturbances within the Indian territories and they held their investigations at Red River which was then the very centre and focus of these disturbances. Time went on. The two rival companies became incorporated as one in 1821, and a further Act, 1st and 2nd Geo. IV. Cap. 66, was passed. It was confirmatory of the Act of 1803 and extended the jurisdiction of the Canadian courts to the Hudson's Bay Company's territories as well as to the Indian territories. After this, peace prevailed for a long period in the North-West, but nearly all intercourse both with Upper and Lower Canada was shut off. The united companies carried on their trade by way of Hudson's Bay, and in the peaceful times which followed the height of land was generally accepted, in the public estimation, as the southern boundary of the Hudson's Bay Company's territories. The colony which had been established by Lord Selkirk in storm and tumult in 1811-12 was at last quietly prospering, and the Hudson's Bay Company was ably represented both in the territories and in England. It is well known that that company has always had among its members men of high political position in England, and at the time to which I refer it was represented by one of those extraordinary men who impress their character upon their time and generation, and whose actions have sometimes a marked influence on the future—I allude to the Right Hon. Edward Ellice. He had a seat in Parliament. He was possessed of almost unbounded wealth and was allied by marriage to Earl Grey and some other eminent men who did much to shape the policy of Great Britain in those days. He was known as the Minister maker, and it required a man of no small ability and tact to be a Minister maker in England, at a time when there

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were actors on the political stage who have not since been equalled. I mention this for the purpose of showing that the Hudson's Bay Company's interests were not likely to be lost sight of, seeing that they were in the hands of a man so near the Government and of such influence and consummate tact. In 1838, the Company applied for a renewal of their lease, although it had then three or four years to run, and, as explained in Judge Johnson's evidence, there was at that time some idea of forming the colony of Assinaboia into a Crown colony. It had become a colony, in fact, as will be seen on reference to the evidence of the Hon. Donald A. Smith, who was at one time Governor of the Hudson's Bay Company's territories, and of Judge Johnson, a former Governor of the Colony of Assiniboia. I mention all this so that the House may be in a position to see that in the period intervening between 1821, the date at which the companies were amalgamated, and 1838, when the commission to Lord Durham was issued, a new state of things had arisen in the North-West. I should mention, too, that in 1818, the de Reinhart trial had taken place, the question as is well known hinged on the matter of territorial jurisdiction, and the Judges were unanimous in the decision that Upper Canada was bounded on the west by the prolongation of a line drawn due north from the point of junction of the Ohio and Mississippi and on the north by the height of land, or southern boundary of the Hudson's Bay Company's territories. To return again to the matter of the boundary line, the description in this commission (Lord Durham's) carried the western boundary of Upper Canada, as we have seen, into Lake Superior, but not one step further, and why it was not carried *through* can be easily seen from what I have just stated. The rights of the Hudson's Bay Company to the country to the west and north of the water-shed, were being ably maintained by one of the most eminent men of the day. A colony recognized by the Imperial Government had grown up, and the boundaries of that colony came to the height of land, and it was within the territories which had been defined by two Imperial Acts as being Indian territories beyond the boundaries of the Provinces. The Imperial Government had before them, moreover, the unanimous decision of the Judges in the de Reinhart trial, and, in view of all these circumstances, it would have been impossible for them to carry the boundary of Upper Canada through Lake Superior. Had they done so they would have ignored their own action in relation to the colony of Assinaboia, the Indian territories, and the Hudson Bay Company's territories. They would have ignored, too, the opinions of the most eminent English counsel, and they would have over-riden the decision of the highest Canadian Court then existing. There were, besides, other circumstances in operation, which must lead anyone, who bestows attention on the subject, to believe that everything, at that time connected with Canadian affairs, received the deepest and most earnest consideration of the Imperial authorities. In this country there were troubles on all hands in 1837 and 1838, and the minute care with which the description in the commission to Earl Durham is drawn, shows that the matter of the boundaries of Upper Canada had received the most careful consideration. But the same commission which carried the boundary line on the west only into Lake Superior, in other words, to the entrance of that lake, carried the northern boundary to the shore of Hudson's Bay. So that a line from the entrance of Lake Superior drawn due north to the shore of Hudson's Bay would, in conformity to the commission, be the boundary line of Ontario on the west, and a line from the head of Lake Temiscaming to the shore of Hudson's Bay the boundary line on the east. If commissions to Governors are to be taken as giving legal definitions of boundaries, as emanating, in fact, from the Sovereign, whose prerogative is provided for and guarded in the Act of 1774, I do not see how you are to get over this

description of the boundaries of Upper Canada, a description which was not altered from 1838 down to the date of the Confederation of the Provinces. Here is the description as repeated in the Commission of 1846 to Lord Elgin. Let this House and the country study it well in connection with the decisions of Courts and the action of the Imperial Government in recognizing the territories of the Hudson's Bay Company and the colony of Assinaboia, before they give way to the assumption that Upper Canada should have extended by right over the plains of the North-West:

"Our said Province of Canada, comprising Upper Canada and Lower Canada, the former being bounded on the east by the line dividing it from Lower Canada, commencing at a stone boundary on the north bank of the Lake St. Francis, at the Cove west of the Pointe au Beaudet, in the limit between the Township of Lancaster and the Seigneurie of New Longueuil, running along the said limit in the direction of north 34 degrees west, to the westernmost angle of the said Seigneurie of New Longueuil, thence along the north-western boundary of the Seigneurie of Vaudreuil, running north 25 degrees east until it strikes the Ottawa River, to ascend the said river into the Lake Temiscaming by a line drawn due north from the head of the said lake until it reaches the shore of Hudson's Bay; and being bounded on the south, beginning at the said stone boundary between Lancaster and Longueuil, by the Lake St. Francis, the River St. Lawrence, the Lake of the Thousand Islands, Lake Ontario, the River Niagara, Lake Erie, and along the middle of that lake; on the west, by the Channel of Detroit, Lake St. Clair, up the River St. Clair, Lake Huron, the west shore of Drummond Island, that of St. Joseph and Sugar Island, thence into Lake Superior. The said Province of Lower Canada being bounded by the adjacent Province of Upper Canada, and the boundary line between the said two Provinces, commencing at a stone boundary on the north bank of the Lake St. Francis, at the west of Pointe au Beaudet, in the limit between the Township of Lancaster and the Seigneurie of Longueuil, running along the said limit in the direction of north 34 degrees west, to the westernmost angle of the said Seigneurie of New Longueuil, thence along the north-western boundary of the Seigneurie of Vaudreuil, running north 25 degrees east until it strikes the Ottawa River, to ascend the said river into the Lake Temiscaming; and which said Province of Lower Canada is also bounded by a line drawn due north from the head of the said lake until it strikes the shore of the Hudson's Bay."

Mr. Speaker, I have been accused of wishing to curtail the boundaries of Ontario, but this is a most unjust and unfair accusation. I have only done my best to explain where, in my opinion, the law has placed the boundaries; but apart from this, surely whatever is most in the interests of the Dominion at large should be most in the interests of Ontario in particular. For a very long period the height of land was looked upon as the northern and western boundary of Upper Canada. In 1850 the United Provinces made a treaty with the Indians of Lake Superior in which the height of land is defined as the southern boundary of the Hudson Bay Company's territories, and that it formed the northern and western boundary of Ontario was the general belief at the time of the Confederation of the Provinces. If, therefore, the extent of Ontario should be doubled by adding to it the territories described in the award, how can this grand scheme of Confederation be carried out? Supposing that the State of Maine together with the Provinces of Nova Scotia and New Brunswick could be added to the Province of Quebec, it would be something like adding this vast territory to Ontario, for it will be eventually filled with population, and anything that destroys the balance of wealth, power and influence in the Provinces must seriously embarrass the working of our institutions. The question is narrowed down to one of two things. We must either take the description in the Act, or we must be guided by the commissions issued under the Act. If by the Act alone, Ontario cannot go north of the height of land. Let those who suppose that she can read the opinions of the English Law Lords as submitted with the evidence of the Hon. Donald A. Smith, from the days of Lord Mansfield down to modern times, and they will perhaps come to a different conclusion. It is clear to my mind that if you take the description from the Act alone Ontario must be bounded on the north by the height of land, whereas, if we are to be guided by the commissions, although she is limited on the west to the entrance into Lake Superior, her northern boundary is the shore of

Hudson's Bay. In the one case, she would have a narrow strip on the north coast of Lake Superior; in the other, a territory, notwithstanding all that has been said to its disadvantage, of very great value. She would have a region with a fair extent of agricultural land, with rivers navigable for hundreds of miles, with forests of valuable timber, with coal fields of considerable extent, and with sea ports and sea fisheries which may become of immense importance in the future. I do not therefore wish to curtail Ontario, but to extend her to the very fullest measure that the descriptions have defined in the commissions to Governors which, in the opinion of the Attorney-General of Ontario, are in fact the law. The hon. member for Bothwell concludes his elaborate writings by expressing himself as follows:—

"The limits of the Province of Ontario, then, are the International boundary upon the south, westward to the Rocky Mountains; the Rocky Mountains, from the International boundary, northward to the most north-westerly sources of the Saskatchewan eastward, until it intersects the boundary line midway between Lake Winnipeg and Port Nelson at the mouth of Nelson River; and upon the north-east the line already indicated, drawn midway between the posts held by England and France just before Canada was ceded to Great Britain."

And yet the hon. gentleman is prepared to see Ontario swept of all these vast regions which he believes she ought of right to have and confined to the comparatively narrow boundaries set out in the award. For my part I would not be inclined to relinquish one acre of what Ontario ought to have. I think she will have a much better and more valuable territory by claiming her right under the commissions, as her Attorney-General does, than she would by throwing aside the commissions and confining herself to all that she would be able to obtain under the description in the Imperial Act of 1774. In all I have said in reference to the prerogative as expressed in commissions to Governors, I am sustained by the opinion of the Attorney-General of Ontario, as given before the arbitrators and in his statement of the case. He did not, however, follow his own argument to its legitimate or logical conclusion, and if I have endeavored to do so for him, no doubt he will feel greatly indebted to me for the attempt. But there are other views as to the western boundary of Ontario, and the unanimous decision of the three Judges in the de Reinhart trial must command respect. They decided that a line drawn due north from the point of junction of the Ohio and Mississippi was, according to the Act of 1774, the western boundary of Upper Canada, and three other Judges of equal eminence who appeared before the Committee last year were of the same opinion. So that the due north line, as it is called, has the unanimous opinion of no less than six Judges of the higher Courts in its favor; but with every deference to the opinion of men so eminent, I may say that either the due north line or the Mississippi line may have been the true western boundary line in 1818, and nevertheless ceased to be so in 1838. The Judges do not seem to have attached much importance to the Royal prerogative as expressed in commissions to Governors. But the Attorney-General of Ontario, who had been himself a Judge and whose ability as a statesman and constitutional lawyer is everywhere acknowledged, has given decided expression to the opinion that the commissions issued under the Act are, by virtue of the Royal prerogative, as much law as the Act itself. My opinion may not go for much, but I decidedly incline to the view of the Attorney General. If his view is to hold good, the whole question is narrowed down to the finding how far into Lake Superior the western boundary shall run. My own opinion is, and I think any one on looking at the map and comparing it with the description in the commission, will come to the conclusion that the eastern end of Lake Superior was intended as the western boundary of the old Province of Upper Canada; more especially when the circumstances which had then arisen in the North-West are taken into consideration. The hon. member for Bothwell

always brings forward the Cavendish debates, and tells us what certain members are reported to have said in these debates; but we must remember that in those days the parliamentary debates were not reported, and that the work of Sir Henry Cavendish, who took notes simply for his own amusement or information, first saw light sixty-five years after the date of the debate which it purports to give; we have no means of knowing it may not have been a highly *ex parte* report, but we can easily see that the Parliament of those days had good reason for refusing to allow its debates to be published, if the work of Sir Henry Cavendish may be taken as a specimen of the reports of the time. Why, Sir, the debate as there reported would not do much credit to any legislative body in the Dominion—I had almost said, to a county council. I will read to the House Judge Johnson's opinion on the matter. On being interrogated as to the value of these debates as an authority, he said:

"The Cavendish papers were published in 1839, sixty-five years after the debates of 1774, and were never considered to be of any importance, but rather hazy. They would have the authority of any report, if published at the time, subject to contradiction or correction by people who could contradict or correct them. But when published sixty-five years afterwards, when the people who could contradict or correct them were dead, they could not possess any value. They were looked upon as the gossiping production of an old gentleman who was not very eminent, Mr. Henry Cavendish, afterwards Sir Henry Cavendish."

Others, however, may have a different opinion of these debates, but whatever value may attach to them as a historical record, it does not appear to me that they should be made use of to explain away or over-ride an Act of Parliament. As an instance of the way in which even intelligent men may be led to coincide in assumptions which have nothing to sustain them in history or in fact, I may allude to the Attorney General of Ontario making use of the word "cede" when speaking of the Treaty of Utrecht and the territories restored by France. Whether the word "cede" or "restore" should be used was a matter which came near breaking off the negotiations and plunging two great nations into all the horrors of war. The word "restore" was finally used, and yet the Attorney General said:

"By the Treaty of Utrecht, 1713, the bay and straits of Hudson, together with all lands, seas, sea-coasts, rivers and places situate in the bay and straits and which belong thereto, were finally ceded to Great Britain."

I would be sorry for a moment to suppose that the Attorney General of Ontario would willingly have given a construction to the most important part of the treaty calculated to lead the arbitrators astray; but, to say the least, he committed a mistake in stating the case, which may have had a most important bearing on the award. France claimed vast territories on Hudson's Bay as belonging to her by virtue of first discovery and subsequent occupation, England denied that claim and insisted that France should acknowledge her right by restoring, not ceding, the territory in dispute. France did so, and that should for ever have settled all questions arising from priority of discovery or first occupation. Yet, in face of this, the volumes laid before the arbitrators base the claims of Ontario, in great part, on the occupation of the French at Hudson's Bay, although the French themselves had given up all claim on that ground. And the Attorney General of Ontario supported what is so set out in these volumes by supposing, himself, and leading the arbitrators to suppose, that the territory was ceded and not restored to England. And what is it that was restored? Simply all the lands looking towards Hudson's Bay; the words in the treaty as explained by the learned Judge Armour are *spectantibus ad eadem*, which have been construed by Sir Travers Twiss and other high authorities on constitutional law to mean all the lands looking towards the waters within the water-shed of Hudson's Bay. No wonder that the three gentlemen who made the award, notwithstanding their high position and great ability, were led to a conclusion so extraordinary,

Mr. Dawson,

seeing that they only had a few days to study the matter and had nothing better than such statements and assumptions as those to which I have just referred to go upon. As to the merits of the award itself, if the arbitrators had the power to make a boundary between the territories of the Dominion and the Province of Ontario, nothing can be said further than that with the best intentions they have made a most extraordinary award, and it would still be a question whether it was within the constitution to confer on them such powers as could have enabled them to override and ignore Acts of the Imperial Parliament, Acts of prerogative and commissions to Governors, and that too without so much as saying to the Parliament of this Dominion, by your leave. But I apprehend that the reference to them left it only in their power to indicate an existing boundary. And in this view, which is no doubt the correct one, they failed most lamentably, for the boundary they have indicated has nothing whatever to sustain it in history, in law, or in fact. If they intended to go by the descriptions in commissions to Governors, they were in error in not carrying the whole province of Ontario to the shores of Hudson's Bay, and in not describing the western boundary as entering into or touching Lake Superior merely. If, on the other hand, they took the description in the Act of 1774 as their guide, they ignored that description in carrying the northern boundary of Ontario north of the southern boundary of the territories of the Merchant Adventurers of England trading into Hudson's Bay. In either case, they were manifestly in error in carrying the northern and western boundaries of Ontario into the Indian territories, which are described in the Imperial Acts of 1803 and 1821 as being beyond the limits of Upper Canada, and they should at least have kept wide of the boundaries of the old colony of Assinaboa, which, as shown by the evidence of Judge Johnson, one of its former Governors, and that of the Hon. Donald A. Smith, who was for a long period Governor of the Hudson's Bay Company's territories, had been recognized by the Imperial Government, and was *de-facto* a colony having an autonomy quite distinct from that of Upper Canada. But it has been claimed that, as the arbitrators were three most distinguished gentlemen, we should not on account of their high position assail their award. But the case is quite too important for considerations of this kind. No one can be more ready than I am to admit individually and collectively the high position and great respectability of the gentlemen who formed the Board of Arbitrators, but they have themselves set an example that even Acts emanating from an authority still higher than theirs may sometimes be cavalierly treated. They have, in their award, over-ridden commissions issued under the Royal prerogative, have ignored Acts of the Imperial Parliament, turned aside from a judicial decision emanating from the highest Court in the land, and have favored us with a boundary which is not in accordance with any line ever existing, or even suggested. The fact is, they had not considered the matter; their session lasted only three days. On the first they adjourned; on the second they heard the arguments of counsel, and on the third gave their decision. They had not had time even to read the wonderful book of documents, and, in fact, one of them has since admitted as much. Under these circumstances we cannot reasonably be censured for criticising an award which, should it be adopted by this House, must exercise, for many a day to come, a serious influence on the affairs of this great Dominion. In attempting to show where the Royal prerogative, through the commissions to Governors, had fixed the boundaries, I have confined myself to one branch of the subject, and may take another occasion to refer to matters equally deserving of consideration, and among these to the fact that Ontario was a consenting party to the formation of the Province of Manitoba, and to the Rupert's Land Act, which latter, in fact, admitted the full claims of the Hudson's Bay

Company to the territories north of the watershed, and should, as Judge Johnson says, have settled the matter forever. I fear that I have occupied the time of the House too long, but must crave the attention of hon. members for a moment longer, while I draw their notice to a rather ungenerous expression which has been made use of by a prominent member of another Legislature. It is that the Committee of last Session was hostile to the claims of Ontario. If so, they certainly took a strange way of showing it, for they called before them every person suggested to them as being likely to give evidence of any value in favor of the views that had been put forward on the part of Ontario, and among them were the Hon. Justice Armour, who had been employed by Hon. Mr. Mackenzie's Government on the case; the hon. member for Halton (Mr. Macdougall), who had written a very able report in favor of the claims of Ontario; the hon. member for Bothwell (Mr. Mills), whose views are well known; the Hon. D. A. Smith, a supporter of Hon. Mr. Mackenzie's Government; Mr. Thomas Hodgins, Q.C., who was one of the advocates employed by Ontario, and others, not one of whom had ever taken a position hostile to Ontario. Besides which the very names of the gentlemen composing the Committee should have saved them from such an imputation. For my own part, I have striven for a construction of the Acts of Parliament and Imperial commissions which would give to Ontario the very utmost extent of territory possible under the Acts and commissions; and the Attorney General of Ontario, for whom I have always entertained the highest esteem—should what I have now said come to his knowledge—will see that I have done my best to sustain his views in reference to the Royal prerogative and the importance which should be attached to the commissions issued under that prerogative. I have striven to show that his logic is absolutely and completely unanswerable, and that, to follow it to its unavoidable postulate, Upper Canada entered Confederation with her western boundary carried simply into Lake Superior, as in the words of a long series of commissions, and with her northern extended, as in the same commissions, to the shores of Hudson's Bay.

Mr. MILLS. It is not my intention to delay the House at this moment. I moved for the papers mentioned in this motion a few days ago, and the understanding then was with the First Minister, that any discussion to take place would take place after the papers came down. I do not feel disposed to engage in a discussion on a motion which, on its face, does not indicate to the House that it was intended to enter into a detailed discussion on this important subject. I do not propose, however, that the hon. gentleman shall make the motion, accompanied by the speech he has given, which is intended to prejudice the case against the Province of Ontario, without any observations in reply. The hon. gentleman forgets that when this arbitration was appointed, it was not for the purpose of establishing a conventional boundary. That has been sometimes said in this House, but the statement is calculated to mislead. It is true that the Ontario Government in passing the Act took power to establish a conventional boundary, if a boundary should be agreed on between the Dominion and that Province. It was thought that the matter might be settled in that way without the necessity of an expensive enquiry and survey of the limits that might be marked out under an arbitration appointed to enquire into the case upon its merits. But whatever the policy of the Ontario Government might have been in that enactment, there can be no doubt that the arbitration that was appointed was appointed not to make or suggest a boundary which would be a conventional boundary, but to ascertain where the actual limits of Ontario were upon the north and the west; and the decision of the arbitrators showed what that boundary was. In that view it was a

simple departmental matter and nothing more, to ascertain where the boundary was. It did not require the sanction or interference of Parliament. It was a simple enquiry for the purpose of ascertaining a particular fact, and the arbitration simply stated what it believed the facts were. When it was appointed, we asked for an appropriation to pay the expenditure that would be necessarily incurred in this enquiry. The House made the necessary appropriation; so that Parliament gave its sanction to the course adopted by the Government, and it seems to me that if we are to recognize the principle of continuity in Government at all, if it is not the intention of one Administration and one Parliament to wholly disregard what has been done by another Administration and another Parliament, there is nothing better settled on every principle of public policy than the boundary of Ontario under the provisions of that arbitration. The hon. gentleman has said that he will refer to the commissions which have been issued at various times, to show what the boundaries of Ontario were at those times, and what they are at present. I never knew that a commission determined the extent of a Province. I know that with the King it is a matter of prerogative, with regard to Royal colonies, or other than proprietary colonies, to fix the boundaries; and the boundaries of the Provinces of Ontario and Quebec, under the provisions of the Act of 1774, were not at all made inconsistent with the subsequently exercise of the prerogative. On the contrary, the Act expressly provides that the boundaries therein set forth are to remain the boundaries of the Province, until the king himself shall otherwise determine. But while that is the case, I think that prerogative has never been exercised in any other way than by a Royal proclamation or an Order in Council. We have an important decision upon this question in the case of the dispute between the Provinces of Georgia and Florida, with regard to the boundary line between them. A commission had been issued to Governor White, of the Province of Georgia, stating where the boundaries of that Province were, and another commission had been issued to the Governor of Florida, fixing the northern boundary of the Province of Florida some two degrees further north than it had been before, and to that extent within the Province of Georgia. That question came up at a subsequent period for consideration. It was argued before the Supreme Court of the United States, and old Orders in Council and proclamations were produced, and a decision of that Court had, which, although it may not be binding here, is, after all, a decision which must be respected by us.

Mr. MACDOUGALL. Were those commissions issued while the country was under the Royal rule?

Mr. MILLS. The commissions I refer to were issued while Florida and Georgia were provinces of Great Britain, and to the Governors of those provinces. The King, in his commission to the Governor of Florida, included territory embraced by the charter of Georgia within that Province, and also embraced in the commission to the Governor of that Province; and the Supreme Court held that the Crown never exercised its power to change the boundaries of the Province otherwise than by Royal proclamation or by Order in Council. Florida was not included in the United States in 1783, but was ceded to Spain from whom it had been acquired twenty years before. Spain claimed the southern part of Georgia, while the United States maintained that Spain had acquired Florida with its ancient limits. After the United States acquired Florida from Spain, the case came before the Supreme Court and the decision was as I have stated. I think that that decision, after a very full investigation of the whole case and lengthy and well considered arguments before the Court, is pretty conclusive as to the law in the matter. The hon. gentleman (Mr. Dawson) says that the word "northward" applies to the

whole territories and not to the western boundary. That is my opinion, and I am glad to see he has come to that conclusion. But if so, then the word "northward" cannot mean due north. But you have in the Act a description of the boundaries of the Province of Quebec as it was proposed to fix them, extending upon the south from the Bay of Chaleurs westward to the Mississippi River; and it is said that all the territories, countries and islands within those limits, so bounded on the south, extending from that line northward to the Hudson's Bay, is to constitute the Province of Quebec. There is no boundary mentioned on the west, and you might just as well say that the boundary upon the east, at the Bay of Chaleurs, was a due north line, as that the boundary on the west marked a due north line. Then as to the Act of 1774, it says that the French colonists scattered through the Indian territory were left without any civil government, and that it was to extend civil government to those colonists that the boundaries of Quebec were to be extended. Well, if the boundaries were extended for that purpose, you cannot give it a western boundary that will exclude all those settlements which the Act was passed to include. The hon. gentleman refers to the boundaries upon the north. I am not going to enter into a discussion of that question at length; but I will say that the boundary on the north is not the height of land. There is not a particle of evidence in favor of any such contention. On the contrary, the evidence is conclusive, that the boundary on the north stretched far beyond the height of land. The Hudson's Bay Company in defining their limits for many years, in their propositions submitted to the Government of Great Britain, set forth the wish that the boundary between them and the French should begin at Cape Partridge, at  $58\frac{1}{2}$  degrees north latitude and extending south-westerly from that point to Lake Mistassiny. And let me say that boundary is far to north to the height of land, and although you find in modern maps that the boundary of Quebec is marked along the height of land, it is perfectly clear that the height of land was not known or, until recent times, taken into consideration; and here was an astronomical line to be drawn on the map, extending from the north-west point of Labrador to Lake Mistassiny, which was to be the line between the eastern part of the French possessions and the possessions of the Hudson's Bay Company. Then if you look at the charter of that company, you will find it never put forth any such pretension as this of recent years until after Great Britain had acquired possession of the country under the Treaty of Utrecht; and no portion of the territories in dispute was ever in possession of the Hudson's Bay Company until after Canada was surrendered by the French to Great Britain. It is true the King granted a charter to the Hudson's Bay Company, extending its possessions indefinitely into the interior, but when you look at its provisions you will see that there is a territory spoken of over which the company only had a right to trade, and there is another territory to which they have the title in free and common soccage, after the manner of holding lands in Kent. That provision is in the charter, and if you give to this charter the construction given in recent times, there would be no territory upon which it could operate—the whole territory would be included in the grant. It has been pointed out that the territories granted were within straits and bay, as mentioned by Lord Brougham and Mr. Spankie—territories to the south and west which the company have recently claimed, were territories without the Bay to the west and south-west, but to the soil of which they had no grant, over which their license to trade was to extend.

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

Mr. MILLS,

#### AFTER RECESS.

Mr. MILLS. When the House rose I was making a few observations in reply to the hon. member for Algoma (Mr. Dawson) in reference to the question of the boundaries of the Province of Ontario, and at the time you left the Chair I was referring to the fact that the height of land was in no case recognized as the boundary between the possessions of the French and the possessions of the English to the north. We know that even the territories in the vicinity of Hudson's Bay, at the time the charter granted by Charles the Second to that Company, were granted by France as well as Great Britain, and that the Government of France, prior to that charter, granted to the Company of One Hundred Associates a charter extending over the whole country northward to the Hudson's Bay. The English, however, subsequently, under the provisions of that charter, built trading posts at various points on Hudson's Bay, of which for the time they held possession. But at the close of the 17th century, about 1693 or 1694, the French sent expeditions from their settlements in Canada overland to Hudson's Bay, and took possession of these posts; but at the time the Treaty of Ryswick was negotiated, all the country about the Bay, which included all these posts with the simple exception of Fort Albany, were recognized as a possession and it continued to be a possession of France until the war began. During the period of that war some of them were taken possession of by England, and at the close of the war, by the Treaty of Utrecht the French Government surrendered those posts to the Hudson's Bay Company. Although the article surrendering those posts is pretty comprehensive in its form it was not understood to embrace the whole country to the height of land. On the contrary, the correspondence between the Count De Torcey and Mr. Prior, the poet who was acting for the English Government at Paris, shows that the English did not claim the country so far south as the Hudson's Bay Company subsequently claimed, and that all they wanted was to acquire possession of the posts in the vicinity of the bay for the Hudson's Bay Company. The Foreign Secretary, Lord Dartmouth, seemed to be under the impression that if the Government of France made a surrender, not to the Government of Great Britain, but to the Hudson's Bay Company, the principle of *postliminium* would apply. I will not now discuss that question, because we will have an opportunity at another time of considering it more fully; but I would simply say that any one who has taken the trouble of looking into the question, or has consulted the opinions of the law officers of the Crown in a number of similar cases, and especially their opinions with regard to the charter granted to the Duke of York for the State of New York, will see that when the country is taken possession of by conquest by an enemy, and is not surrendered at the close of a war, the principle of *postliminium* does not apply, and that parties who might have political rights or interests in the country did not have those rights restored to them by the restoration of the country at a subsequent period to the Government which was first in possession. As I said before, the case of the Duke of York is a case in point. His brother, Charles II, granted him a charter for the Province of New York. The Dutch conquered the country, and established civil government. By the Treaty of Breda the country was again restored to the English; and it was recognized by the law officers of the Crown that as the Dutch had complete possession, and did not hold it merely by military force or occupation, but had administered civil government in the country, the restoration of the country to the English did not restore the Duke of York to his rights, and that a new charter was necessary. I will not, however, stay to discuss that question as it is not material to my arguments.

I think it is clear—if it be taken for granted that the charter of the Hudson's Bay Company was properly granted in the first place, which, however, I do not admit—that the cession of the country to France by the Treaty of Ryswick would prevent the restoration of the company at a subsequent period—by the Treaty of Utrecht—to their original rights. But if you look at the correspondence since that took place between the Hudson's Bay Company and the Government of England and between the Government of England and the Government of France, it is pretty clear that the sovereignty of the country in the interior was not regarded as passing to the Government of England by the provisions of the Treaty of Utrecht. On the contrary, when the articles of the treaty came to be submitted, the Count De Torcey called the attention of Mr. Prior to the fact that the article was seemingly much more comprehensive than the understanding between the parties intended it should be. But they accompanied the article with a map on which each party drew a line where he thought the boundary ought to be, and it is said in the correspondence that there was little difference between them as to the location of the boundary. It is perfectly clear from the correspondence that the boundary was marked in the vicinity of Hudson's Bay, and without any reference to the conformation of the country or to the height of land of which the English Government, at all events, had no knowledge at the time. For the purpose of showing what were the claims of the Hudson Bay Company at various times, I will read an extract taken from the papers which they submitted to the English Government immediately after the Treaty of Ryswick, but before the boundaries were arranged. Commissioners were appointed by the Government to adjust the differences between the two Crowns. The Hudson's Bay Company were invited to state what they would be willing to accept as the southern limit of their territory, when they addressed to the lords of trade the following proposal :

"The limits which the Hudson's Bay Company conceive to be necessary as boundaries between the French and them, in case of an exchange of places, and that the Company cannot obtain the whole straits and bays, which of right belong to them, namely :

"1. That the French be limited not to trade with wood-runners, or otherwise, nor build any house, factory or post, beyond the bounds of 53 degrees, or Albany River, vulgarly called Chechewan, to the northward, on the west or main coast."

The country which the Company claimed as their possession was the country within the Straits and Bay of Hudson, the country to the west of the bay and the country to the south of it, they claimed for the purpose of trading, and Lord Dartmouth, after he gave directions for the surrender of the country to the Hudson Bay Company, accompanied the surrender with a statement that it had reference to trade only. Now, if you look at what transpired afterwards you will see how the two Governments interpreted the Treaty of Utrecht. It was understood by the provisions of the treaty that a Commission was to be appointed for the purpose of settling a boundary in accordance with the provisions of the treaty. Lord Bolingbroke, who was First Minister in England, and his associate, Mr. Harley, were both driven from power after the treaty was concluded. They had been the principal parties in the negotiation of the treaty. The correspondence that took place between the Governments of England and France seems to have been lost sight of. A second application was made to the Hudson's Bay Company for a statement of their rights. This was immediately before the meeting of the Commission at Paris. The Hudson's Bay Company made a statement, and in that statement they give a description of the same line from Partridge Cape in 58° north latitude in a south-westerly direction to Lake Mistassin. They did not however stop there, where they stopped in the first description; but they continued it on

to 49° north latitude, and say that parallel is to be the boundary between the possessions of the Hudson's Bay Company and of the French for the future. What it is important to notice is this: That south of Lake Mistassin no boundary had ever been extended before the negotiation of that treaty; that after the negotiation of that treaty the Hudson's Bay Company claimed a further extension of territory, and it is perfectly obvious that the claim could not be upheld; but whatever rights the Hudson's Company had or other English subjects possessed, were rights that must have been determined by the provisions of the treaty itself. In fact, they lost sight altogether of the manner in which the boundary had been drawn. Lord Bolingbroke, the principal party in the negotiation of the Treaty of Utrecht, was banished from England at the time, and it is only fair to presume that the Government which succeeded were in ignorance of the correspondence that had privately taken place between Mr. Prior and Marquis De Torcey and Lord Bolingbroke and the French Ambassador in England. The Commission failed. They were unable to agree. No boundaries were settled in accordance with the provisions of the treaty; but the French continued to hold the forts they had established until Canada was surrendered to Great Britain in 1750. Take for example the post of Abbitibbi, a long way north of the water-shed; Fort St. Germain up Albany River, that was built some distance from the mouth of the river; and the Hudson's Bay Company held the post at the mouth of the river. But the fur trade flourished on the shores of Albany River from the time that the Treaty of Utrecht was negotiated until the country of New France was surrendered to the Crown of Great Britain. Again, if you look at the posts which France subsequently established, you will find that the Verendryes, La Corne, St. Pierre and others were sent there by Governors from Canada, and that they established posts at Winnipeg and on the Saskatchewan, where an extensive fur trade was carried on, and, according to M. de Bougainville, upwards of 700 fur traders were there at the very time Canada was surrendered to Great Britain. It is perfectly clear, when you look at the correspondence which took place between the Governments, and the explorations that took place over the whole of this country in the North-West now known as the North-West Territories, that the whole of the country as far north as Albany River, except the posts on Hudson's Bay, was in the possession of France and continued to be part of New France and governed by Governors from France until the fall of Quebec. There is not a single instance of any Hudson's Bay Company's trader going into the north country or coming near it until nearly forty years after Canada had been surrendered to Great Britain. It is absurd to suppose that the Hudson's Bay Company would, under the provisions of their charter, claim a territory in the possession of a foreign Government and which was not in their own possession for more than 100 years after the charter had been granted. An examination of the provisions of the Company's charter will disclose the fact that it was precisely the same as the charter granted to the London Company, to the Cabots, Gilbert, and to Mr. Oglethorpe and others in the Southern States. In all cases the Government of Great Britain, following the example of other Governments in Europe, granted charters to companies conferring on them a right in fee simple to territories of which they had not yet taken possession; but the Government in fact treated such charters not so much as grants as powers. Those to whom they were granted were great political corporations whose interests in the country, if given effect to all, stood or fell with the Government that created them. You have many instances of that. There is the charter given to Sir Walter Raleigh and others. The Government did not treat the charter as actually conveying property, but it gave a power which, if the party to whom it was given actually went into the country and took possession in accordance with the principles of international

law, their rights as property-holders can attach and not otherwise. With the Hudson's Bay Company it depended on due diligence. For 120 years they never went away from the Bay. Any country has just as much right to occupy and settle the western territory as Great Britain had, did her people go into the interior and take possession in accordance with the well settled rules of international law. The people of France did this; they occupied and held it until acquired or taken from them by conquest. The title of Great Britain to the whole of the country lying north of the height of land, as far as the vicinity of Hudson's Bay, was a title acquired from the Government of France, and anyone who will go into the Library and look at the third volume of the Landsdowne papers, not published at the time my report was made, and a map that Lord Landsdowne prepared—and Lord Landsdowne, it will be remembered, was Secretary of State for Foreign Affairs at the time the Treaty of 1763 was negotiated—will see by that map that the whole of the country beyond the sources of the Mississippi west to the Rocky Mountains is marked as Canada, a territory acquired by Great Britain by the Treaty of Paris in 1763. If the title of the Crown of Great Britain to the North-West country, and this territory, now Ontario, rests upon the provisions of that treaty and the surrender by the French commander at Montreal, it is perfectly obvious that the Hudson's Bay Company could have had no right whatever to this territory, and the Government of Canada therefore had against Ontario no right whatever except that which they have acquired from the Hudson's Bay Company. I am not going into a discussion of the question in detail. I might give many instances where this principle is recognized. The hon. member for Algoma (Mr. Dawson) said, quoting a passage from Judge Armour, that a country which has taken possession of the shore has a right to the country to the height of land, and that the English Government having had surrendered to them by the Government of France, by the Treaty of Utrecht, the country in the vicinity of Hudson's Bay, acquired the right to all that country up to the height of land. The hon. Judge also quoted a passage from Phillimore to that effect. Phillimore is a high authority, but there are higher authorities than Phillimore, there are the State papers which describe this transaction, and which show that the country restored was what had been before in the possession of England—the shore of the Bay. And I might mention other State papers which represent the transactions occurring between various States with respect to this very principle. Let me give the House one instance, and it will serve to illustrate the whole case. The United States when they claimed the valley of the Oregon river, did so on this ground: Mr. Gray had discovered the mouth of the river and taken possession in the name of the United States Government. Did the English Government recognise the principle that a Government which had a right to the mouth of a river had a right to the whole country drained by it? They utterly repudiated it, and contended that while taking possession of the mouth of a river might give a right to the entire basin; if it is the only means of gaining access to the interior (because you could not go into the interior without committing trespass), yet if you could reach that country in any other way than the height of land is no impediment, and the Government would have no right to the possession of the interior, to the height of land. Now, that was exactly the principle that existed with regard to this height of land lying north of Lake Superior and north of Lake Huron. The Government of Great Britain, acquired by the treaty of Utrecht, the right to the shores of the Hudson Bay—France had a right to the valley of the St. Lawrence. The possession of the extent of country between those two places depended upon the diligence of each country. It was open to the English

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Government, if they had taken possession and settled the country around Hudson's Bay, to have come south of the height of land; it was open to France to go north of the height of land if by due diligence, by pressing forward her settlements or occupation of the country, she had seen proper to do so. As a matter of fact she did, as I said before, establish Fort Abbitibi; she did that before the Treaty of Utrecht was signed. She held it till the year 1761. She did the same thing with regard to Fort St. Germain, and all those posts that were established by the French traders, because that country was held by them until after the conquest of the country and its surrender of Canada, within which they were established. After the surrender, the Pontiac war intervened, and the country was, for a time, abandoned. But subsequently fur traders from Montreal and Albany organized companies and took possession of these old French posts and occupied the country, and any one who will look at "Harman's journal" of that country—and Mr. Harman was in the employ of the North-West Company for twenty-seven years—will see that the North-West Company were long in the possession of the country before the Hudson's Bay Company's traders appeared there at all. It was not until long after the surrender of that country as a part of Canada to the Crown of Great Britain that the Hudson's Bay Company entered the country. It was impossible that they could acquire any right or interest in any part of Canada under their charter. The extent of the power which they obtained under that charter, even if they had obtained any right to the soil depended upon their diligence. There was no Act of the Crown of Great Britain that could at all interfere with the rights of the Sovereign of France to go on and take possession of any portion of North America that had not actually been occupied in some way by the Crown or subjects of Great Britain. I have said that in looking at the Act of 1774 the boundary was fixed on the west at the Mississippi River, and that boundary remained the boundary of the Province of Quebec until 1791. Anyone who will look at the opinion given by Chief Justice Draper, who had looked carefully into this subject, will see that he had no doubts in his mind that Quebec extended westward to the Mississippi River. By the treaty of 1783, the Government of Great Britain surrendered the southern part of this Province, that is the portion lying between the Ohio River and the Great Lakes, to the Government of the United States. After that surrender, of course, there was a new southern boundary, and they described that boundary in the commission to Lord Dorchester after the Treaty of Versailles, in 1783, had been negotiated. And where did they extend that southern boundary? Why, they extended it westward through those lakes, westward through Pigeon River, through Long Lake, and due west to the River Mississippi. Why go to the Mississippi River? Because the Mississippi had been a boundary under the Quebec Act of 1774. Then when you look at the Acts of State by which the Province was divided, you will see that, at all events, it was impossible that the arbitrators could have given to the Province of Ontario narrower limits than it possesses under the award. We find it stated over and over again that this word "northward" used in the Quebec Act means due north. If you apply it to the boundary line you must apply it to the southern boundary, because there is no other described. Let me just read this particular portion of the Act:

"That all the territories, islands and countries of North America, belonging to the Crown of Great Britain, bounded on the south"

What is bounded on the south? Why, those countries, territories and islands.

"by a line from the Baie des Chaleurs along the highlands."

Describing it along the lakes, along the Ohio River westward to the banks of the Mississippi, and northward to the southern boundary of the Hudson's Bay Company's territory. What

is northward? In my opinion the countries, territories and islands, beginning at one point and extending to the other, and from that base northward to the boundary of the Hudson's Bay Company. That gives you a boundary on the north. But if you say it means a line bounding this country on the south, then this southern line will extend northward, and it is impossible that it can be a due north line or other than the Mississippi. There are no words in this paragraph, there is no statement in this Act such as "bounded on the west." But if it applies to a line, it is a line that begins at the Baie des Chaleurs, and extends westward to the banks of the Mississippi, and then northwards. If it means the southern boundary, then that southern boundary extends northward to the Hudson's Bay Company's territory. The southern boundary extending northward is the southern boundary of the country lying west of the junction of the Ohio and Mississippi Rivers, that is; the western boundary of the territory lying south of these points. But it is the southern as well as the western boundary, and if the word "northward" is applied to a line at all, it is applied to a line bounding this country on the south. Then this is a description of the Mississippi as the southern boundary, and you could not, under any circumstances, make a due north line a southern boundary. Then there is the principle I already mentioned, that you are to interpret every Act in such a way as to give effect to it, and not to defeat its object. What is the object? To embrace the settlement. If you say the boundary is due north, you exclude those settlements and defeat the object of the extension of the Province westward. Then there is another rule well recognized in law, that when you reach a natural boundary you are to follow it, unless there are special and obvious reasons for departing from it. What is the position in this case? The boundary was extended westward, along the bank of the Ohio, to the banks of the Mississippi. The Mississippi was, at this time, the boundary between the possessions of Great Britain and those of France, and is it reasonable to suppose that a stretch of territory 700 or 800 miles in length, and in many places not 50 miles in width, containing the population it was intended to embrace, was intended to be left without a Government? By the construction of this Act, they would be excluded from the Government that was intended to include them. Then you have another well recognized rule, that in every Act of State the interpretation given to it by the Government must be followed. You have many instances of this in the reports of the Judicial Committee of the Privy Council, where the East India Company was engaged in negotiating treaties with the native princes. How did the Committee deal in these cases? Did the Committee undertake to adjudicate upon them? They held that they had no jurisdiction; that the Company had acted in dealing with these princes, in their political capacity and that the Courts had nothing whatever to do with them. The same principle is laid down in two or three decisions of the Supreme Court of the United States with regard to the construction of certain treaties between the United States and Spain, regarding Florida and Louisiana. The Supreme Court says that the political department of Government has interpreted this treaty and that the Courts will follow its construction. What was the position with regard to the Quebec Act? That the same law officer of the Crown that introduced and carried that Act through Parliament, issued the commissions under it, and it is the duty of the Courts, as it is the duty of this and every other Government, to follow the construction that the Government at the time put on the Act. If you look at this Act, you will see that it does not limit the authority of the Crown. In describing the boundaries it says they are to remain the boundaries during His Majesty's pleasure. The King, at any time by Order in Council, or by proclamation, might have altered the boundaries established by that Act. The Act did not

interfere with the prerogative he possessed in that respect. The reason for the Act was very obvious. At the time this Quebec Act was introduced into the Legislature, Lord Mansfield had just given his decision in the case of *Campbell vs. Hall*, a case involving the right to tax one of the West India colonies, which was a conquered country. The King had given the country a Government, and after he did so, undertook to impose a tax on the country. The Lord Chief Justice said the King has the right to govern a conquered country as he pleased; but once he confers on the country a Government, he exhausts his power, and he cannot interfere a second time. Well, under the proclamation of 1763, marking out the limits of the Province of Quebec, the King had given the Province of Quebec a Government. It was not in his power to alter the constitution which he established; Parliament alone could deal with that matter; but the King could enlarge or contract the boundaries. The Government of Quebec continued under that Act till 1791. The King then intimated his pleasure to alter the boundaries again, and establish two Provinces where there was then one. But he could not alter the Government which had been established, and it was necessary, therefore, that Parliament should again intervene. Parliament did intervene, and declared that, in the event of the King dividing the country and establishing two Provinces where before there had been one, this new constitution should come into effect, and it did. How was that division effected? An Order in Council was passed providing for the division. The Council authorized the Secretary of State to issue a description of the boundaries of the new Province to be established on the west. That description is forwarded to the Governor in this country, and it is embraced in a proclamation issued by the acting Governor, Mr. Alured Clarke. This is the description of the country that is embraced in Upper Canada:

"Along the said Ottawa river to the River Temiscaming, and by a line due north until it strikes a line north of Hudson's Bay, including all the territory westward and southward of the said line, to the utmost extent of the country commonly called or known as Canada."

Not "known as Quebec." I am not going to discuss this question this evening; but let me call your attention to the words: "all territory westward and southward." By the suggested interpretation of the Quebec Act, southward would mean due south, and westward due west. Therefore, you would begin at the forty-fifth parallel of north latitude, and you would go to the boundary line of the Hudson's Bay, and you would take the country due west, lying between these parallels, as the Province of Upper Canada. Such a construction would exclude from the Province of Ontario all the country from Kingston westward and southward. It is perfectly obvious that such a construction is improper, as it would not embrace the territories intended to be embraced. I think I have said enough to show that French Canada, at all events, extended northward of the height of land, and that all the territory west of this line, except what was ceded to the United States, was embraced in the Province of Upper Canada; and when the arbitration decided that the boundary of Ontario should not extend farther westward than the Province of Quebec had extended, they put the very narrowest construction on the words of this proclamation, defining the boundaries, that it was possible to put upon it. Whoever else may complain, it is perfectly obvious that the Dominion of Canada has no ground of complaint, and the arbitration were warranted in going as far north as the Albany River, and fixing as the northern boundary the line which they did. Let me say another word with regard to convenience. Four years ago the Governments of Canada and the United States had a correspondence with regard to the establishment of a boundary along the Alaska frontier. When we came to make enquiry as to the cost of surveying a boundary between Canada and the United States, we found that the establish-

ment of that boundary, where there was no immediate necessity for it, would cost the country between \$1,000,000 and \$2,000,000. There is no doubt whatever that if we had not, as the northern boundary of Ontario, obtained the natural boundary, such as the Albany River, which requires no large expenditure to ascertain its direction—if, instead of that, we had taken a mathematical line and undertaken to establish it by a careful astronomical survey, it would have cost Ontario and the Dominion at least \$500,000. I therefore think that even though the Albany River boundary was not one that could have been upheld by strict and careful examination into the law and facts, it yet would have been in the public interest, both of the Dominion and of Ontario, to accept it as a boundary. In doing so, they will get rid of a large expenditure indeed. I need not say any more on the subject. I have only taken a very cursory view, and have done so merely for the purpose of establishing what I think might be regarded as a *prima facie* case in favor of the view taken by the arbitrators and the claims that are still maintained by the Province of Ontario.

Mr. MACDOUGALL (Halton). I am sure the House, at all events those hon. members of it who have given any attention to this subject, must be gratified with the very clear statement which the hon. gentleman has just made in respect to the reasons that led the arbitrators to select the particular boundary which they did select. It is, of course, inconvenient to engage in a discussion on a technical and historical question of this kind, involving a great many enquiries and details, on a mere motion for papers which, I apprehend, when the return comes down, will be very few; for I have not seen any intimation, in any quarter, of any correspondence having taken place between the Dominion and the Imperial Governments, in respect to the boundaries of Ontario, nor do I see any reason for such correspondence unless it might be enquiries made in some of the Government Departments in London for evidence which might be helpful to the settlement of the question. I understand the hon. member for Bothwell has moved for the correspondence which has probably taken place between the Ontario and the Dominion Governments, and when that correspondence is before us we will be in a better position to engage in a discussion on this subject than we are at present. For my part, having given some attention to it for some years, I am very anxious, as a member of this House and a representative of Ontario, that a solution should be arrived at as soon as possible. Questions of great local difficulty are constantly springing up and are likely to spring up in that country, which is now no man's land, as we do not know to whom it really belongs; and some very serious question, arising out of the administration of criminal law there, may arise at any moment. It is, therefore, on every ground, desirable that the Government should take the matter in hand; they alone can properly deal with it. I trust, before the Session ends, the Government will take steps to have the dispute settled. Ontario, looking at it as a mere political question, feels great interest in its settlement, and the political opponents of the Government will have a very good question to canvas the country with, if by mere delay and indifference occasion is given for discussions of that kind. It seems to me that either the decision arrived at by the arbitrators should be affirmed, or a case should be agreed upon between the Dominion and Ontario Governments for submission to some judicial tribunal. From the statements made by the hon. member for Bothwell, it is pretty evident that on the north no mere judicial tribunal can find a boundary, for no such boundary has ever been described in terms which would enable a court to define it or a surveyor to mark it on the ground. Therefore, whatever decision may be arrived at in reference to the western boundary and the meaning to be attached to the word "northward,"

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it would not solve the question. We are still without a boundary on the north, and that can only be arrived at by agreement. The hon. gentleman has given, I think, the strongest reason for selecting the Albany River, and no doubt it was the reason which induced the arbitrators to come to that conclusion. That reason was, that the Hudson's Bay Company themselves had at one time agreed to accept that as a boundary of their territories on the south; and though it was never formally agreed upon by the then high contracting parties, still the fact that the Hudson's Bay Company at that period made no claim to any country farther south seems to me to be a very reasonable ground to justify our selection of that boundary to-day. Of course the Dominion inherited the title of both parties. We have succeeded to the French title, whatever it was, and have possession of the English title, whatever that was; so there need be no great difficulty in coming to a conclusion, so far as we are concerned. That question is, however, only important as bearing upon the western boundaries of Quebec as settled by the Act of 1774. It is not necessary for us now, for any other purpose than that I am aware of, to ascertain where the limits of Rupert's Land or the Hudson's Bay Company's country was to be found. We carefully avoided that question in the purchase of the North-West Territories. It will be seen by consulting the correspondence on that occasion that two distinct territories or purchases, so to speak, were contemplated: one, Rupert's Land, which was the Hudson's Bay Company's property—the country, wherever it could be found, which belonged to them,—and the North-West territories which, it was assumed, were not conveyed to them by the charter; and these two distinct territories were kept in view in the arrangements with the Imperial Government, for the purchase of the Hudson's Bay territory. We purchased the North-West Territories and the rights of the Hudson's Bay Company in Rupert's Land for one price. We did not discriminate between them; there seemed to be no purpose to be served by so doing. We had their rights in both territories, whatever they might be. Well, that question which had agitated the Parliament and Government of Canada for many years was unnecessary to be solved, because we bought the whole country. It became ours and there was no purpose to be served in drawing that line, and I see no purpose now in drawing it because, so far as the question of the Hudson's Bay Company is concerned, it appears they were willing themselves to fix upon the Albany River as the boundary on the south east. However, the question of the boundary of Ontario must be settled, and it is desirable it should be disposed of at the earliest possible moment. It cannot be of any great importance to Ontario to have the jurisdiction and control over the extensive country that is now a wilderness, and that in the opinion of many persons does not contain any great elements of wealth, certainly not as a grazing or a grain growing country. It would probably be a burden to them as it is to the Dominion. If Ontario has not administrative powers and jurisdiction over the country it must fall to the Dominion, and, as it is seen at present, it is of no great advantage to the Dominion to retain control for administrative purposes over such countries. We do not propose, I apprehend, to establish another Province there. That might become necessary, and we know the expense of similar Provinces since the establishment of Confederation. A very disproportionate expense as compared with that of the government of large Provinces, is incurred for the very small; and I am sure that public opinion, so far as I can understand it, does not consider it expedient to establish new Provinces of very limited territorial extent in future. We had better give them a larger extent, for the cost of administration and government will equal that incurred for larger territories. Moreover, I see no room for a second Province, even assuming the law should decide that the word northward in this case means a line due north from

the junction of the Ohio with the Mississippi, and that a portion of Lake Superior and Prince Arthur's landing with all that adjoining country be held to belong to the Dominion. It would be necessary either to attach it to Manitoba, if that Province is to be enlarged which is reported, or to Ontario, or to establish another small Province, small in population and likely to continue so for a great many years. Looking at it from a Dominion stand-point, I can see no advantage in holding the country in its present condition with any idea that we can create a Province, and escape the burden of administering its affairs with any advantage. Upon grounds of economy, political expediency and justice, it seems necessary to have a speedy adjudication and settlement of this matter.

Mr. DAWSON. With regard to what the hon. member for Bothwell (Mr. Mills) has said, if Upper Canada possessed any just claim to the enormous extent of country to the west and north of Lake Superior claimed for her by him, there can be no stronger argument that the award was wrong. In the concluding paragraph of his published work he claimed that the boundary of Ontario extended to the Saskatchewan. Well, if he was right in that contention the arbitrators were certainly wrong. The hon. gentleman has stated that it was only through Orders in Council that the Royal prerogative could find expression; but I could point to passages in his works where he attaches as much importance to commissions as the Attorney-General for Ontario does.

Mr. MILLS. No.

Mr. DAWSON. In any case I consider that the Attorney-General for Ontario is as likely to be right as the hon. member for Bothwell, and he claims that commissions to Governors must be taken as expressions of the Royal will, as being in fact Acts of prerogative. The hon. member for Halton asserted that the Albany had been at one time the boundary chosen by the Hudson's Bay Company themselves; but in this he was mistaken. Subsequent to the Treaty of Utrecht the Hudson Bay Company always claimed a large extent to the south of that. The Treaty of Utrecht really settled all matters between France and England as regarded the immediate confines of Hudson's Bay at least. As to General Alured Clark's proclamation, of which so much was attempted to be made, let anyone read it and it would be found to be meaningless. It was to embrace in Upper Canada all the country known as Canada to the south and west of the boundary line, notwithstanding that all of Canada to the south had fallen to the United States. The instructions and the commission issued to Lord Dorchester in September, 1791, were perfectly clear, and General Clarke had simply made a mistake. However, there will be ample opportunities for discussing all this, and when the question comes up again I shall be ready to meet all points that have been touched upon to-night.

Mr. ROYAL. Mr. Speaker, if we refer to the numerous documents printed as a sequence to the report of the Committee appointed by this House last year; if, moreover, we refer to the speeches delivered on this subject, we at once reach the solution arrived at by the Commissioners appointed by the Government of the Dominion of Canada. This decision, come to by the arbitrators three years after their appointment, strikes anyone who is of an observing turn of mind as being almost absolutely similar with the boundaries which the Government of Ontario had conceded as a compromise in its negotiations with the Government of the Dominion of Canada. The boundaries defined by the Commissioners of the Dominion of Canada, and suggested in the official communications of the Government of Ontario to the Government of the Dominion, are almost identical. For that reason should we be careful not to accept the Commissioners' decision of 3rd August, 1878, without exercising the greatest caution. A second solution of the difficulty is also

to be found in the report of the Commissioner for Ontario, the hon. member for Bothwell (Mr. Mills). The western boundary, claimed by the Province of Ontario, reaches as far as the Rocky Mountains; in other words, Ontario, after having been four years in the Confederation, after having concluded a treaty with the other Provinces with regard to its supposed boundaries at the time of its joining the Confederation, comes forward and carves a large slice out of the North American territories, and takes unto itself a territory seven or eight times larger than the rest of the Confederation. A third boundary is that assigned by the Act of 1774, and is a result of the legal discussion of the matter. Last year we were told by the Government of Canada that the question was to be referred to a judicial Committee of the Privy Council in England, because it was essentially a legal one, and that so important a Statute should be interpreted by lawyers. Moreover, Mr. Speaker, there is a law in these matters, and that law has been frequently invoked by those who have pretended with some show of reason that the question should be decided according to law, to justice, to common sense, and especially according to the spirit and the letter of the Federal Treaty of 1867. It will not be amiss, Mr. Speaker, to briefly examine the decision of the arbitrators, without fully discussing this important question of the western boundaries of Ontario. In 1871, the two Governments of Ontario and Canada agreed to appoint certain arbitrators to stake off the western boundary of the Province of Ontario. Later on, in the following year, the Government of Ontario having learnt that its Commissioner had received certain instructions from the Government of Canada, asked the latter for a copy of the same instructions. In those instructions the Government of Canada declared that it accepted as the western boundary of Ontario, the interpretation of Chief Justice Sewell, in his judgment in the Reinhardt case, rendered 18th May, 1818, accepting without reserve the interpretation of the Court of King's Bench at that date as to the western and northern boundaries of that Province. The Province of Ontario, which, at that date already, had encroached on that part of the domain of Canada, immediately instructed its Commissioner to cease acting, and negotiations came to an end. A short time after, the two Governments agreed upon a middle course, and it was then decided, or rather suggested—the suggestion was agreed to by the Government of Canada—to refer the solution of the difficulty to a judicial Committee of the Privy Council in England. Unfortunately the Government which succeeded to the one that had agreed to the suggestion, did not consider it advisable to follow it. On the contrary, in 1875, a Commission composed of men residing on this side of the Atlantic, was instituted by the Government of Canada with orders to “determine and decide” the question. You will notice, Mr. Speaker, as indeed it has often been noticed, that this Commission was appointed by a simple administrative act; there was no law authorizing the Government to act thus. The most the Government could do was to order an investigation to be made. Nevertheless, this Commission was appointed in 1875, and remained some three years without taking any action. Suddenly, after the Province of Ontario had piled up documents upon documents, reports on reports, the Commissioners met one fine day to listen to the pleas, and on the day following, the 3rd of August, 1878, they rendered their decision, which will, for more reasons than one, remain famed in political annals. When I say that that decision is extraordinary, Mr. Speaker, I am making use of a very mild term, of a euphemism, for that decision sets aside both historical traditions and facts, the rights of the Hudson's Bay Company, and the interpretation of the Imperial Statute of 1774. This decision is extraordinary for another reason, and it is that the Commissioners merely copied with some slight alterations the boundaries suggested as a compromise by the Government of Ontario to that of Canada. By

that decision, Mr. Speaker, the Commissioners gave to Ontario a territory at least equal to the one which it possesses to-day. When, but a few moments ago, the hon. member for Halton (Mr. Macdougall) was depreciating pretty freely that portion of the coveted territory, it seemed to me that I was hearing the employees of the Hudson's Bay Company depreciating the company's territory. These are more tactics, to depreciate what one covets in order to obtain it more easily. We have formerly heard the hon. member for Algoma (Mr. Dawson), on more than one occasion, extol the importance and the richness of the country which forms the valley of the James' Bay, basing his *dicta* on official reports. Now, the decision of the arbitrators of the Dominion would give to Ontario a territory at least equal in extent to the one it possesses to-day, a rich domain that would make of Lake Superior and James' Bay two upper Canadian lakes. We must bear in mind that in a matter like this, there is some cause for surprise that the Province of Ontario should put forth its pretensions at so late an hour; that it should put them forth precisely at the time when the treasures of the North-West have been discovered; at the precise time when political influence is about to abandon the valley of the St. Lawrence for the vast plains of the West. One should not seek for motives, but I say that the fact that that Province covets to-day, fourteen years after the Federal Treaty of 1867, a part of the vast territories of the West, should awaken our suspicions and cause us to proceed with the examination and solution of the difficulty with the greatest possible prudence. The second boundary is the one referred to by the hon. member for Bothwell (Mr. Mills), and in this regard I will say that the hon. member for Bothwell was the only one who showed himself to be logical during the discussion of that important question. He said: "If by virtue of Lord Dorchester's proclamation, to divide the old Province of Quebec into Upper and Lower Canada, the Province of Lower Canada is composed of that part of the Province of Quebec situated north-east of the region of Lake Temiscamingue, and if the Province of Upper Canada is composed of all the country that constituted the old Province of Quebec, to the west of the same boundary, I am perfectly in the right when I claim the Rocky Mountains as a boundary for Ontario." Now, as there is more than one French traveller who states that at that time France possessed and claimed the territory, not only as far as the Rocky Mountains, but as far as the Pacific, I do not see why, if the hon. member can go as far as the Rocky Mountains, he should not push on as far as the Pacific. He would then have been as logical as it is possible to be; nevertheless, it is to be regretted that this pretension, which I admit to be logical, if one accepts the premises of the hon. member, should be thrust forward so late; especially after Canada has paid a million and a half for certain rights which the Hudson's Bay Company had over the same territories; especially after a Province has been created out of these territories; after a district has been organized; after we have concluded five treaties with the Indians; especially after the enormous expenses which Canada has incurred to organize these territories. It is to be regretted, I repeat it, that this pretension should be thrust forward at so late an hour, and I can fully understand that the Province of Ontario, which, more than any other in the Dominion of Canada, watches the development of the North-West, should have asked so much, in order to have at least the Lake of the Woods as its boundary. Well, Mr. Speaker, this boundary of the Lake of the Woods cannot hold good, neither in the face of history nor in that of the rights possessed and exercised by the Hudson's Bay Company in the valley of the Red River, on the valley at Lake Winnipeg, and on certain portions of Hudson's Bay. If, now, we set aside this pretension, extraordinary, to say the least of it; if we likewise set aside the decision rendered by the arbitration in 1878, which decision was illegally

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rendered by them, as they had no right to draw a conventional boundary, there remains, Mr. Speaker, the Statute of 1774, which carves a territory out of those constituting formerly La Nouvelle, France, organizes it, and out of it creates the Province of Quebec. I will not, Mr. Speaker, pause to relate under what circumstances the Province of Quebec was divided into the Provinces of Upper and Lower Canada. Those who know history, especially that of Lower Canada, know that that division was directed against a certain part of the population, as occurred in many other instances, when a division of territory took place. At any rate that Province was divided by proclamation, in 1791, and, as Chief Justice Sewell said in 1818, the Province of Quebec was divided, and not enlarged; consequently the Province of Upper Canada should be found within the limits of the old Province of Quebec, in the same manner as is the old Province of Lower Canada. With your permission, Mr. Speaker, I will read the judgment rendered by Chief Justice Sewell in 1818. Formerly the Province of Quebec was bounded on the west by a meridian drawn north of the confluence of the Ohio and Mississippi rivers. That boundary terminated at the lands which were then considered the southern boundary of the Hudson's Bay territory. This is what gave rise to this judgment: Outside of the limits that I have just mentioned there was a certain unorganized territory over which the Act of 1803 gave Upper and Lower Canada a concurrent jurisdiction. Reinhardt, during the troubles that took place between the North-West Company and the Hudson's Bay Company with regard to the free trade, had been guilty of murder; this murder had been committed at a place called "Les Dalles." Reinhardt's lawyers raised for the first time the question of jurisdiction; they maintained that the prisoner was accused of a fact that had taken place, with admission of the accusers themselves, in a place situated outside of Lower Canada, this territory being in Upper Canada, and, consequently, did not fall under the jurisdiction of the Courts of Lower Canada. Here is the judgment of Chief Justice Sewell, who is looked upon rightly as one of the greatest legists that we have ever had in Upper or Lower Canada:

"The Court are most distinctly of opinion, on referring both to the Act of 1779 and that of 1774, that the argument of the defense must fail. What was the object of each Act? Amongst others that of 1774 was to enlarge the Province of Quebec, which had been created in 1763. That of 1791 was to separate or divide the Province of Quebec into two Provinces, to be denominated Upper and Lower Canada, and make each respectively independent of the other by giving a Legislature to each respectively, but still retaining between or within the two Provinces the same extent of country, the same space as the one Province contained."

I will draw the attention of the House to this point. The question is this: Had the Act of 1791 the object of increasing the former limits of the Province of Quebec, or of merely dividing it into two Provinces?

"What is the Act? What is its object, its avowed object? To repeal certain parts of the Act of 1774; and what is the part repealed? It is that part of it which gives authority to the Council of the Province of Quebec; and what is the reason assigned for so doing? Why, that His Majesty had signified it to be his royal will and pleasure to divide his Province of Quebec. To assert that he intended by this that the limits of the Province should be extended by the separation appears to me repugnant to the plainest of common sense, and, therefore, I cannot consent to it. The short history of the Act of 1791 is briefly this: The King signifies to Parliament his royal intention of dividing his Province of Quebec, and he calls on the Legislature to provide for this alteration by granting an Act adapted to the change. The Legislature pass an Act providing for the due government of the two Provinces and under the authority of this Act, and the Royal Proclamation, the Province of Quebec was accordingly divided, the Royal Proclamation being an exercise of sovereign authority. His Majesty in that Act, by and with the consent of his Privy Council, declared what should be the line of separation between Upper and Lower Canada, and how much of the former Province of Quebec shall belong to the one, and how much to the other. The object of the Act, and the object of the Royal Proclamation are so clearly expressed that we cannot for a moment doubt upon the subject. What says the Act? His Majesty having been pleased to signify his royal will and pleasure to separate and divide the Province of Quebec. What says the Proclamation? Why, the very same words. To divide the

Province of Quebec, not to add to it, any more than to take away from it. Therefore, Upper Canada, in the purview, could include only that part of the Province so divided as was not contained in Lower Canada; but it could not extend beyond these limits which constituted the Province of Quebec, otherwise it would certainly have been an Act to enlarge, rather than an Act to divide. In delivering this opinion I am speaking our unanimous sentiment, for we have consulted our brother Perrault upon the subject, and he clearly concurs with us. According to our understanding of the Act and the Royal Proclamation, we are bound to say that we consider the argument of the gentlemen concerned for the prisoner, though presented with great ability and ingenuity, must fail, because the western boundary of the Province of Upper Canada is a line drawn due north from the confluence of the Ohio and Mississippi Rivers till it strikes the boundary territory line of Hudson's Bay.

"The question of fact will remain with the jury. It is they who are to say whether this place, the Dalles, is or is not to the west of the line which we now declare to be the western boundary of His Majesty's Province of Upper Canada. If they are of opinion that it is within, or to the east of this western line, then it is in the Province of Upper Canada, and not within our jurisdiction; but if they are of opinion that it is to the west of this line, then I am giving you our unanimous opinion when I declare that the Dalles are in the Indian Territory, and not within the limits of the Province of Upper or Lower Canada, but clearly within the jurisdiction of this Court, by the Act of the forty-third of the King Chapter 138, which extends our power to 'the trial and punishment of persons guilty of offences within certain parts of North America.'"

Such is the judgment of the Court, a judgment that has established the jurisprudence upon the point, and which was quoted later in other trials for offences committed in the same territory. In 1803, as the hon. member for Algoma (Mr. Dawson) remarked this afternoon, one Mowat was brought to Montreal; he was accused of a misdemeanor committed in the country situated to the west of Lake Superior. This person was accused of manslaughter. He was brought before the Courts, found guilty, and underwent his sentence. Later, in 1818, there were two trials, one at Three Rivers, I think, Reinhardt's trial—the other the trial of McLellan, accused of murder likewise committed in the above-mentioned territory. The question of jurisdiction was not raised this time; this question was raised at Reinhardt's trial. McLellan, who was tried some months later, was acquitted. Later, in Upper Canada, Brown, accused of the murder of Governor Semple, was brought to York, now Toronto, and there the question was raised in an incidental manner; that did not, however, prevent the Court from taking cognizance of the indictment, proceeding with the proof and going on with the trial, which ended by both prisoners being set at liberty. It is not my intention to examine this question exhaustively. That would require much more time and especially much more attention than the House is generally disposed to grant to speeches and questions as dry as this one. However, I think that I have said enough on the subject in order to show the importance of proceeding with wisdom and prudence in the settlement of this question. The Canadian Government has stated on several occasions that this is essentially a legal question; it is a question of interpretation of Statutes; it is a question that has often been decided by the highest tribunals of the country, and we should respect this jurisprudence. We should not set aside the series of official acts that are conformable to this jurisprudence. There is another question intimately connected with the discussion that is now occupying our attention, I mean the political question. Let us always remember that the Confederation Act was essentially a treaty between the different Provinces. Each Province entered into Confederation with a known population, with well defined limits, knowing full well in what sphere its energies, its influence and its rights were to be exercised. It was in 1867 that Lower and Upper Canada, in order to obviate a crisis that was threatening to render all government impossible, determined to try Confederation. If at that time the Provinces of Lower Canada, New Brunswick and Nova Scotia had perceived that one of these Provinces was, at the end of ten years, to ask for an increase of territory twice or three times as large as these Provinces, I would like to know whether the Act of Confederation would have been possible. We

were discussing a few days ago what was justly called, I think, the crowning of the Federal structure. We have found the means of uniting the two oceans by a line of railway destined to overcome the natural obstacles that, in the opinion of the opponents of Confederation, formed an insurmountable difficulty in the way of building up the Federal structure. The Canadian Confederation will be consummated by this gigantic undertaking. Now the territorial pretensions of Ontario are necessarily calculated to re-open the whole question. All will have to be begun over again, should the Parliament of Canada accept the decisions of the Commissioners rendered the third day of August, 1878, as the extravagant conclusions of the member for Bothwell. Ontario came into Confederation with superior population and wealth; its territory was known; the Quebec Act defined its limits, and a judgment of the King's Bench interpreted this Imperial law, taking away even the possibility of a doubt. Is it reasonable to suppose for a moment that the Provinces of Lower Canada, New Brunswick and Nova Scotia, who were already very reluctant to cast their lot with a Province stronger and more powerful than either of them—is it reasonable, I say, to suppose that Confederation would have been possible if the other Provinces had for a moment imagined that Upper Canada would repudiate its western boundary as it was then defined, in order to set it 400 miles farther back? Sir John A. Macdonald declared in 1855, and later this principle was solemnly affirmed in the first resolution of the Quebec Conference, that the Confederation was a treaty of which all the details were weighed and discussed at length. By claiming a territory of more than 50,000,000 acres to the westward, Ontario is breaking the Federal pact, and is trampling under foot the letter and the spirit of the Constitution. This is a dark spot on our horizon; it is the storm whereof we hear the first mutterings. Already public opinion is growing ardent and threatens to set fire to everything, if, as the hon. member for Halton said a moment ago, the Government do not soon see to it, by confiding the solution of the difficulty to a tribunal who will render a judgment which cannot be suspected by any one, and which will forever settle the dispute in the interest of the Confederation of the Provinces of British North America.

#### CANADIAN CATTLE IN ENGLAND.

Mr. WRIGHT. I rise to ask a question relating to a matter of great public interest. It is stated that an Order in Council was passed in England, directing that all Canadian cattle shall be slaughtered, after arrival, in any English port. As this is a matter of the greatest public interest, and is connected with a great and constantly increasing trade, I would like to ask the Minister of Agriculture whether he has received any official information or any information with regard to this subject.

Mr. POPE (Compton). I will say, in reply to my hon. friend, that I saw in newspapers that such was the case. I also received private letters in hands of individuals, stating that an Order in Council of this kind would go into effect a week ago. I immediately telegraphed to Sir Alexander Galt, and the answer was that there was no such Order in Council, nor was any such Order contemplated, or any change in the manner of receiving shipments of cattle.

#### IMPORTS OF IRON AND STEEL.

Mr. JONES moved for a return of the quantity of iron and steel imported into Ontario, Quebec, Halifax and New Brunswick, distinguishing the quantities of bar iron or steel, round or square, sheet iron or sheet steel, hoop iron or steel, during the last financial year.

Motion agreed to.

## EXPORT OF SILVER ORE.

Mr. JONES moved for a return of the number of tons of silver ore exported from Ontario, during the past five financial years.

Motion agreed to.

## DEPOSITS IN GOVERNMENT SAVINGS BANKS.

Mr. JONES moved for a return of the number of depositors in the Government Savings Bank of sums under \$10 during the last financial year. He said: My object in making this motion is to draw the attention of the Post Office Department and of the Government to a system which has been adopted in England with very great success. The deposits in the Government Saving Banks in Great Britain, as hon. gentlemen are doubtless aware, were limited to a minimum of one shilling sterling, but this amount was found to be too large for the poor classes whose pennies and halfpennies instead of being saved were too frequently spent in gin and whiskey. A scheme was inaugurated by which forms were provided having twelve divisions, into each of which a penny postage stamp could be placed, and when these forms were filled they were received as deposits in the Post Office Savings Banks. The plan was brought into operation on the 13th September, in ten counties situated in different parts of the United Kingdom, and during the seven weeks it has been in operation the success obtained has been so marked that it has now been decided to extend it to the entire country. This decision will take effect on Monday the 15th November. On and after that day, at every post office in the United Kingdom, forms for the making of small deposits in post office savings banks will be issued gratuitously. Each of these forms, which are about the size of an ordinary check, will have twelve divisions, in each of which a penny postage stamp can be placed. When a form has thus been filled with twelve stamps it will be received at any post office at which there is a savings bank as a deposit of a shilling. During the seven weeks that the experiment has been in operation more than 14,000 of these forms have been received, and more than 7,000 new accounts have been opened through their agency. As the selected counties contain less than one-tenth of the entire population of the country it may be fairly assumed that if the plan had been applied in the first instance to the whole country, it would, during the period referred to, have led to the opening of more than 70,000 new accounts. The forms after being received at the local post offices, are transmitted to the general post office; they have come to hand in remarkable good order, most of them presenting the appearance of perfect newness, and it has not been necessary in a single instance to return any of the forms on account of their being damaged or defaced. I am of opinion that a system based upon that which has been so successful in Great Britain would be a boon to the poorer classes in this country, though fortunately they are not so numerous as in the old country, a card might be used having say ten or twelve divisions into each of which a three cent stamp could be put and when the card is filled it might be taken as a deposit for the amount it represents. My attention was drawn to this subject by a gentleman in Toronto, who takes a great interest in all matters for the benefit of the poor, and I therefore thought it desirable to bring the matter before the Government and the House.

Mr. McCUAIG. I have received a communication from an Englishman, Mr. H. J. Love, on the subject of the sums charged for the transmission of money orders from this country to England. He complains that we discriminate against England in this matter, as while it only costs ten cents to transmit say \$10 to the United States, twenty cents is charged for the transmission of that sum to England.

Mr. JONES.

With regard to the motion before the House, I cannot agree with my hon. friend from Leeds (Mr. Jones), because our circumstances are quite different from those which prevail in England. Our population is not so dense, our laborers are as a class better paid, so that I think a minimum deposit of \$1 is none too high.

Mr. PLUMB. I think we are indebted to the hon. member for Leeds (Mr. Jones) for bringing this matter before the House. This system of taking small deposits, I think, was due to Mr. Fawcett, the present Postmaster General. It is a thing we ought to take into consideration and which we might imitate. I do not quite agree with the hon. member from Prince Edward (Mr. McCuaig) that it would entail a large expense and give great trouble, and for that reason it ought not to be considered by the Government. I think anything that accommodates the people and encourages them to make deposits, no matter how small, should be sedulously encouraged by the Government. There is no question that the limit of the deposit may prevent the accumulation of sufficient money to make the deposit which is required, but this difficulty is obviated by the system of making small deposits by means of postage stamps upon cards, as in England. The sum accumulated might be or might not be less than \$1, but the system of cards for the sums deposited in that way is really a great improvement, and it is to this, I have no doubt, that my hon. friend desires to call the attention of the House. The deposit need not be paid until the card is filled by a certain number of stamps and those cards be transmitted, so that all who wish to make small savings may avail themselves of the Government plan without receiving checks. It makes no difference after all how small the sum is. The suggestion of my hon. friend struck me when I first saw it as being one of remarkable ingenuity and likely to prove most salutary in its operation. I think it should meet with the consideration of the Government. I do not suppose it would be of great benefit to the public finances, but it would be of great benefit to the classes that should be encouraged by every possible means to habits of thrift and economy.

Mr. LANGEVIN. I will only add to what has just been said by my hon. friend for Niagara (Mr. Plumb) that so far as the Government is concerned every means that will induce the people to economize even very small sums of money, will be encouraged by the Post Office Department, provided the cost to the country will not be such as to make the scheme too expensive. This new scheme may require a good many entries and a good deal of labor on the part of the officers of the Department, and therefore may prevent its being extended throughout the country. Nevertheless, the minimum amount now received in the post offices might be reduced; at all events it is a matter that has not escaped the attention of the officers of the department. I am glad my hon. friend from Leeds has called the attention of the Government to this matter, and I can assure him that it will not be lost sight of.

Motion agreed to.

## THE CASE OF J. B. EAGER.

Mr. ROBERTSON (Hamilton) moved for statement in detail of the amounts which have been paid to J. B. Eager, late Clerk in the Hamilton Post Office, since the date of his superannuation; copies of all correspondence, certificates, etc., with the Postmaster-General or the Post Office Department, in reference to the superannuation of the said J. B. Eager, and the cause of said superannuation. He said:— I make this motion because of the gentleman named in it, after being a clerk in Hamilton Post Office for some years, was superannuated by the late Government, and his superannuation amounts to within 44 cents of \$500 a year. His

salary for the three years previous was something over \$1,000 a year. I am told that in a course of a few days after he was superannuated, he applied for and got a situation in one of the insurance companies in Hamilton, where his salary was \$1,000 a year. He was quite able to attend to his duty as an agent of that Insurance Company, but he was not able, apparently, to attend to his duties as a clerk in Hamilton Post Office. Now, that matter has been discussed a good deal in the city of Hamilton, it has become a scandal there, and I think it is high time that notice should be brought to the Government of the state of the case. This gentleman is, to all intents and purposes, enjoying as good health as men ordinarily. I have the pleasure of seeing him every day when I am at home, and he attends to his duties religiously and is quite able of attending to them properly. While receiving \$1,000 salary he is at the same time a pensioner of this Dominion for a sum equal to 50 per cent. of that besides. I move for these papers with the view of showing that, in the first place, as I am told, the superannuation was granted on the representation made to the Government of the day, by gentlemen who really must have known the state the man was in. He was not in the state represented to the Government and which induced the Government to superannuate him. I, therefore, hope the Government will bring down the papers, and will, if Mr. Eager is able to attend to his duties, ask him to go back into the Post Office.

Sir RICHARD J. CARTWRIGHT. I cannot charge my memory with the facts relating to Mr. Eager's superannuation, although I think the papers will show that the late Government acted in this matter upon medical certificates, showing Mr. Eager to have been apparently in a very bad state of health before he was superannuated. But if the facts be as represented, and as I have no doubt the hon. member believes, the Government, if I recollect aright, under the terms of the Superannuation Act, have it in their power to remedy any wrong that may have been committed; because I think they can require Mr. Eager to resume service at any time, either in the Department from which he was superannuated, or any other Department of the Government.

Motion agreed to.

#### RAILWAY TRAFFIC.

Mr. MILLS, in moving for a return showing the number of passengers who travelled on each of the railways of Canada for the year 1880; the number who might have been carried, had the accommodation afforded been fully occupied; the number of tons of freight carried; the number of tons which might have been carried with existing rolling stock, said: The reason I make this motion is to ascertain to what extent the rolling stock of the railway companies in the country would be available for increased travel and traffic, and to what extent the increased travel and traffic would be accommodated. From information afforded by the different railway companies in England and Scotland, we know that a diminution of charges is accompanied by a corresponding increase of travel and traffic—that, in fact, the rule which has been found to hold good in regard to the Post Office Department holds equally good in regard to these railways. I have no doubt that the same rule would prevail in this country, and that the railway companies would actually lose nothing by a change. The information collected by Mr. Galt and others who have given special attention to this subject in England shows that a diminution of charges has not affected dividends, as the companies would not apply a rule that would be disadvantageous to themselves and the public, and my own impression is that a very considerable diminution in railway charges might be made in this country without ultimately impairing the dividends

which the companies are able to declare. On the contrary, I think it would in the end effect an increase in the dividends, as well as a very great advantage to the country. With the object of obtaining information on this point, I put the motion in your hands.

Mr. PLUMB. I differ considerably from the hon. gentleman in his views about railways. I am not aware that the railway companies in this country are paying such dividends on their capital stock that they could very well afford to reduce their charges. It is news to me that any railway company in Canada is paying a dividend on its stock at all, and I cannot see how any railway company can make a return of the possible business they might have done, or the number of tons of freight, or the number of passengers they might have carried under possible contingencies I regret to see, as I think I have seen, a disposition to attack the corporate interests of Canada. I regret to see it because I believe capital is exceedingly timid, and anything that looks like a disposition to meddle unduly with vested interests will alarm capitalists, whereas we ought in every possible way to show capital that it is secure in coming here, and taking up our projects for the improvement of the country, especially by means of railways. The whole history of railway investment in Canada has been one of disaster. It is true it has been urged that there have been in many cases imprudencies in the letting of contracts, and losses in the capital that ought not to occur. But there are enterprises in which there are no such losses. I do not think anyone can pretend that the Great Western Railway, or many of the railways incorporated by the Ontario Government, have squandered their capital. But I have failed to see any of them pay a dividend. In fact, the history of railways in Canada from beginning to end is one of disaster, and I do not think it is desirable that the Government should interfere in the way suggested by my hon. friend; for this return amounts to nothing if it is not intended to lead to some sort of legislation. Up to the present we need not be guided by English precedents, but we can afford to let railways be governed, in their business by the same rule that governs other businesses. They will do business at the lowest rate they can afford, because they know, as well as my hon. friend that the lowest fares bring the most business. They are compelled to take rate for the purpose of meeting competition which would not otherwise be remunerative; but when a railway is there with its plant, business must be kept going at any price. I see great objection to this tendency to meddle in railway legislation, and to interfere with legitimate business carried on in a legitimate way. This is a proposition made which looks toward the undue hampering of capital. No railway can tell us what its possible amount of business will be under certain circumstances. My hon. friend may know of some mysterious method of getting at the information he seeks, but when got it will not be worth the paper it is written on. I could not allow such a motion to be made, accompanied by the remarks of my hon. friend, without entering my protest against it.

Mr. JONES. I can agree with a great deal that has been said by the hon. member for Niagara, but I do think that many of the railways in this country discriminate very unjustly between different points, perhaps not so much in charges for passage money as for freight. On this subject I will read a letter I received to-night from a clergyman of the Presbyterian Church in Manitoba, a gentleman whom I know very well, and who is a missionary out there. In this letter he points out the imposition practised on immigrants. The letter is as follows:—

"I promised to write you concerning the freights into the country, and have delayed so as to be able to give you figures—a friend was to send me a copy of the railway tariffs, from Montreal and points west to Winnipeg, but it has not reached me; at all events, let me just in a word point out some facts."

"The distance from Montreal to Winnipeg *via* Chicago, is 1,711 miles; Montreal to Chicago, 850 miles; Chicago to St. Paul, 409 miles; St. Paul to St. Vincent, 390 miles; St. Vincent to Winnipeg, 62 miles."

"In round numbers, freight from Montreal to Chicago, 70 cents per 100 lbs.; Chicago to St. Paul, 70 cents per 100 lbs.; St. Paul to St. Vincent, 140 cents per 100 lbs.; St. Vincent to Winnipeg, 25 cents per 100 lbs. These are not the exact figures, but they are very near, and represent the proportions. That is, the Grand Trunk carry double the distance for the same money as the Chicago and St. Paul Railroad, and the St. Paul, Minneapolis and Manitoba charges four times Grand Trunk rates; nor is this all—no private person can tell what he will have to pay in extras when his goods arrive at Winnipeg. A man may make whatever bargain he pleases in Ontario, and get it in writing; when he comes to seek his goods here, every other immigrant on an average has to pay ex ras, and can get no explanation or satisfaction. These extra charges vary from \$2 in every 100 lbs., up to \$100 per car load. These over-charges are very discouraging to immigrants, and should be the subject of Government enquiry, they are doing great harm to the country, and are nothing less than frauds. The agent at St. Boniface told me they are regularly put upon. The people and immigrants have neither the time nor the money to contest them. Suppose a traveller comes by the lake to Duluth, rates can be had as follows:—Toronto to Duluth, *via* Collingwood, 933 miles, freight, 15c. per 100 lbs.; Duluth to Glyndon, 250 miles, 50c. per 100 lbs.; Glyndon to St. Vincent, 154 miles, \$1 per 100 lbs."

Of course, the country is but partially settled, and freights must consequently be right, but what I complain of is that when the immigrants get there, they are imposed on by somebody. It may not be the railway, but the railway officials; and a man who wants to get out to his farm cannot stay over five or six days to contest an imposition of \$5 or \$6. I wish I had this letter a week ago, and I would have said something on the Canadian Pacific Railway question, on which I did not speak. Had I this letter, I would certainly have spoken about it. It is just in time to prevent the immigrants going into that country being imposed on by officials, for I do not think it is possible the railway companies imposed on them, though, of course, they will get all the freight they can make their roads pay. The writer continues:

"You can bring freight from Toronto to Glyndon, a distance of over 1,200 miles, for 65c. to 85c. per 100 lbs., while for the next 154 miles over the St. Paul road, you pay \$1—not a cent less for any kind of freight, or eight times the rate of the rest of the route. When I came through I arranged for the freight on two parcels at Toronto to be delivered at St. Boniface for \$1.80 per 100 lbs. When they arrived here there was an overcharge of \$15.96 on 500 lbs., or \$3.19 per 100 lbs. No explanation; pay or do without your things. The Rev. J. Lawdon, Rapid City, had a cutter sent from Toronto by Prettie's party. The freight paid there was \$12. The receipt read, "freight on cutter \$12 paid." He had to pay \$39 extra charge. The Rev. J. Hewitt came to Portage la Prairie last August. He had four cases of household goods. The extra charge was \$40—no explanation. I could go on multiplying almost indefinitely. I wrote to all the companies and all have replied and refunded but the St. Paul and Manitoba road, they give no redress. The conduct of this road towards this country has been such in the fact that you can easily imagine the feelings of the people towards the Syndicate, and nothing but the great anxiety to get a road soon through our own country could keep them quiet concerning the monopoly for a time given to the Company. In the interests of the country there should be an immigration office at Winnipeg, or other suitable point on the road, with power to investigate all complaints and guard the interests of the people. We have the making of a fine country here, and I hope in a few years we will be able to look better to our own interests. It will take time and capital to develop the resources we have. There is another point in which there might be great improvement, namely, the homestead duties. Many persons have taken up land under the Act which compels residence and cultivation. There are many, too many, who make no attempt at either. They are simply holding the lands for others. Would it not be well for the Government to demand residence with the cultivation of a certain number of acres per annum; say two to five to be broken and cultivated each year, and appoint an inspector of homesteads for each land office. Good men could easily be obtained; in fact, if the Government could get no others, some missionaries might be found willing to act."

I think that is a most important letter, and with regard to those ruinous freights, I think some means ought to be taken to prevent immigrants into the North-West being imposed upon by the railroad officials; for I scarcely think the roads themselves would endeavour to make such enormous overcharges as one mentioned in this letter.

Sir RICHARD J. CARTWRIGHT. You had better send that letter to the Senate. It is not too late to do them some good.

Mr. JONES

Mr. JONES. It has gone to the press, and I hope the Senate will take cognizance of it.

Mr. LANGEVIN. I do not see how we can give all the information the mover wants. An order showing the number of passengers who travelled on the railways of Canada for 1880 might be given; but as to the number who might have been carried had the accommodation afforded been fully occupied; the hon. gentleman must see this information is not possible. Where would we put the cars—at what stations, with a view to all this information? The number of tons of freight that might have been carried suggests the question—where was the rolling stock? While disposed to give all the information possible, these questions cannot be easily answered, because we cannot only say where at certain times the rolling stock was found, or what freight or passengers might have been offered at any particular points. If the hon. gentleman drops the two very difficult parts of his motion, we will try to comply with the remainder.

Mr. BLAKE. I do not think there is the difficulty in dealing with the whole of the motion imagined by the hon. gentleman opposite. I have seen returns which seemed to me to implement the reasonable meaning of the motion. I will suppose what my hon. friend means is this: take any one railroad company, it has carried some tons of freight and so many thousand passengers a mile. Now, what is the average number of passengers to a car and tons of freight carried? For instance, you find as the general results in regard to a great many railways in the United States, that not more than thirty passengers are carried on an average in their passenger car, which, if full, would carry sixty or sixty-five. As a general result on the freight cars of the old small capacity of ten tons, more than six or seven tons are carried. So the company is able to say what the average amount of paying freight is per freight car, and what is the average number of passengers to each passenger car in use. It is not a question as to the whole rolling stock a company may have possessed at a particular date at any particular place, but as to how much they were actually using from year to year to do such an amount of business, compared with what amount they might have done if it had been used to its full capacity.

Mr. LANGEVIN. I understand that, but do not see the object of the parts of the motion to which I have objected. For instance, there is a passenger car which, instead of carrying sixty passengers, has only carried twenty. Well, you cannot take the rolling stock of a whole company and always fill the cars with the exact number of passengers, or amount of freight they can carry. Therefore, I do not see the object of this motion, though I could see the object of asking the amount of the rolling stock owned by a company and the amount of work done by it.

Mr. MILLS. I spoke to the Minister of Railways when I put the motion on the paper, and he told me he would do his best to facilitate the acquisition of the railway. He not only made no objection to the motion, but on the contrary showed he was quite ready to endeavor to obtain for me that information which, from my point of view, is valuable. Our railway statistical returns are perhaps more scanty than any others I am acquainted with. If the hon. gentlemen opposite would consult the railway returns from Ohio and Massachusetts, he would find that a great deal of this information, if it is not given every year, is frequently given, and there can be no difficulty such as the hon. gentleman suggests, because if you have a train running, say with five passenger coaches, and fifty passengers on the train, the company can have no difficulty in stating how many more they can carry. And so with regard to freight traffic; I think this information would be valuable. I mentioned the case the

other day with regard to certain railways in Scotland. There were two railway companies running between Greenock and Edinburgh; they ran in competition for a year and a half, and though rates were reduced to one-eighth of what they were before, there was scarcely any appreciable reduction in the dividends or in the amount received by the companies. Now, until we have the information which I ask for in this motion, we could not take the first step in the consideration of the question of the reduction of freights. I do not say we ought to decrease rates. I do not discuss that question now, but I say that the House should have all necessary information on the subject, if an hon. member should choose to bring it before the House. We could not enter into a discussion of that subject with the imperfect knowledge which our railway companies afford us in the returns they make. I think the whole system of our railway returns ought to receive the careful consideration of the Minister, and that we should have more complete information with regard to the internal trade of the country than we do at present.

Mr. WHITE (Cardwell). I think the hon. gentleman will see that if he could get the information which he wants, it would be exceedingly misleading to the public and, therefore, not valuable for the object he has in view. The peculiarity of our railway freight traffic is that there are certain seasons of the year, as for instance, when the crops have to be moved, when the rolling stock of the railway companies is more than fully occupied for probably three or four months of the year, and when every train, and especially those which are eastward bound, and come over the line to the points of ocean shipment, are all full. Then there are other periods of the year, and perhaps large periods, when there is no such traffic. The effect of the figures which my hon. friend wants would be this, that taking the year all round, it would appear that the rolling stock of the companies would not be fully occupied—their cars would not be entirely filled, and the consequence of that would be the creation of an impression in the country, that if the rates were only reduced, there would be a larger amount of traffic, and the companies would realize that much more, when in reality the effect was due to another circumstance, namely, that during a certain period of the year, their rolling stock was more than employed, while at other seasons there was nothing like so large a quantity of freight to be moved. The effect, therefore, of the figures, if brought down in the bald manner in which they are asked for in the motion of my hon. friend, would be to mislead the public mind on this question, and any arguments based upon them would therefore be fallacious. There is another thing to be borne in mind. As I understand, what the hon. gentleman desires to get by this motion is the amount of freight actually carried on particular trains partially filled, and how much such trains could have carried. That, as I understand it, is what the hon. gentleman asks; but I do not think that is quite what he asks for in his motion, because he asks for the capacity of the companies, having regard to the rolling stock they have altogether, and the amount which is actually engaged in carrying traffic. The difficulty in the way of getting such information is this: that under the present system our railways, the Grand Trunk, the Great Western, the Intercolonial and other roads are perpetually interchanging their cars, and the question of how much they could do with the cars they have would depend entirely on the control they have over those cars, and those cars for a large portion of the time are entirely beyond their control, they are under the control of other companies over whose lines they pass and with which the companies owning them have business relations. So that it would be utterly impossible in that sense to get anything like a statement which would be an accurate one. So with regard to the passenger traffic. The hon. gentleman must know

that the return to his motion would not, if it was in literal accordance with the terms of the motion, give him the information he seeks as to the capacity of the companies as to rolling stock. The same principle applies with regard to the rolling stock of passenger traffic as to that of freight. There are certain periods when the rolling stock is amply occupied, and there are other periods when it is not so well occupied, and when in the nature of the business of this country it cannot be so well occupied. So having regard to these facts in connection with our railway traffic, it seems to me that the information the hon. gentleman seeks to obtain would not be of any real value, even if the railway companies were willing to go to the enormous labor which would be involved in attaining it; in fact, so far from being valuable, it would be entirely misleading to the public mind and might lead to the advocacy of a particular line of railway policy which had no justification in existing condition of our railway traffic.

Mr. MILLS. The less we know the more we know.

Mr. WHITE. Not by any means. We have now two or three important sources of information. We have the reports made to the shareholders of the different railway companies; we have in these the number of passengers they carry and the mileage; we have the extent of their rolling stock, the freight they carry, and the prices per ton, per mile, at which it is carried—in fact, all the information which the hon. gentleman expects to obtain; except the particular analysis of this information which the hon. gentleman now asks for. We have this further fact, and it is an important one, in relation to the reduction of freights. As my hon. friend from Niagara (Mr. Plumb) pointed out, with all the enormous increase of business in this country, our great trunk line has not been able yet to pay a dividend, even on all its preference stock and certainly not on its ordinary stock, and, until it does it would ill become the Government or the Parliament of this country to interfere with its management.

Motion negatived.

#### THE CLAIM OF THEOTIME BLANCHARD.

Mr. ANGLIN moved for all correspondence relating to the claim of Theotime Blanchard, late Inspector of Weights and Measures for the counties of Gloucester and Restigouche, N.B., for the payment to him of the portion of his salary withheld as his contribution to the Superannuation Fund. He said: The House will probably remember the change made by legislation in the mode of inspection, and in the staff of inspectors; and the question was raised in this House with respect to refunding the amount of money withheld out of the salaries of those officers, in order to pay their contributions to the Superannuation Fund. The Department seemed at first indisposed to refund any sum, the defence set up being that they had not been displaced or removed, but legislated out of existence. A member of the Government, and some hon. members, held the opinion that because those officers were not removed in the ordinary course they had no claim even to have any amount contributed by them refunded. The opinion of the House was, however, so strong that the then Minister of Inland Revenue consented that the money should be refunded. That was done in several cases; but in other cases it had been refused. I ask the attention of the House to one case, the facts of which I am personally cognizant of. In my own county, Mr. Blanchard, who at the time was a member of the Local Legislature, was appointed inspector. He held office until he was legislated out of existence. During that time a certain portion of his salary was withheld on every quarter-day by the Department, under the authority of the Superannuation Act,

for the purpose of creating a fund out of which under certain circumstances he would be entitled to a large allowance. That money was unquestionably his own; the full quarter's salary was unquestionably due to him. It could not be withheld by authority of Statute except for the specific purpose prescribed. I never could understand why this particular claim was refused, for in equity and justice it was clearly established. It is now alleged, with respect to this and other similar cases, that the officers did little work, and therefore the Minister was authorized to withhold this money, which, as I allege, belonged to the officer, and was not public money. I have made application on his behalf to more than one Minister of Inland Revenue. They invariably at first admitted the equity of the claim, and were apparently willing to have the matter settled; but owing to some influence in the background—I do not doubt it was owing to the peculiar view held by the Deputy—the Ministers changed their opinions and declined to pay the amount. This was the case with regard to the late and the present Minister. I have waited on the latter also, and the Minister acknowledged the fairness of the claim; but a few days afterwards, determined that it could not be admitted. I bring the matter before the House that it may be discussed, and that hon. members may be satisfied that the claim was one that ought not to be refused. I think the Government will give this matter their serious consideration, as it is one which deeply concerns the gentlemen affected. The case is so clear and evident that I think the Government, if they will reflect upon it, can not possibly refuse to pay the sum asked for.

Mr. MOUSSEAU. I shall not dispute the importance of this question by saying that it is a question of \$50. Mr. Blanchard was appointed as Inspector of Weights and Measures in a district when there was no occasion for his services. He never inspected any weights and measures, so that in being relieved from his appointment he has not been relieved from his occupation. He was dismissed because there was nothing for him to do. He claims compensation for services not rendered, for duties not performed. The Government have no objection to the passage of this motion.

Mr. ANGLIN. The hon. Minister was mistaken in saying that this was a district in which no Inspector was needed, but he was not mistaken in saying that the officer did very little. But the reason why he did so little was that he was not supplied with the standards. For some reason there was a difficulty in procuring a sufficient number of standards of weights and measures. He was kept waiting for them, and in the meantime held himself ready to obey the instructions of the Department. If I am not mistaken he never was furnished with the standards up to the last, but that was not his fault. He held himself aloof from all other occupations and resigned his seat in the Provincial Assembly for the purpose of accepting the appointment. This was a very considerable loss in a peculiar point of view. My contention is that if he were displaced because he had nothing to do, or that the appointment was not necessary, then from the date he was so displaced he could have no equitable nor legal claim; but he continued to be the officer and continued to receive his salary, quarter by quarter, minus only this sum withheld, which was just as much his money as the money he received.

Motion agreed to; and (at 11:55 o'clock, p.m.) the House adjourned.

Mr. ANGLIN.

## HOUSE OF COMMONS,

TUESDAY, 8th February, 1881.

The SPEAKER took the Chair at three o'clock.

PRAYERS.

### BANK ACT AND AMENDMENT BILL.

Mr. LANGEVEN, in the absence of Sir LEONARD TILLEY, introduced a Bill (No. 50) to correct a clerical error in schedule B, to the Act 43rd Victoria, chapter 22, being the list of banks whose charters are continued by that Act. The Bank St. Jean, he said, was omitted from the list, and the Bill was for the purpose of correcting that error.

Bill read the first time.

### SUPREME COURT OF CANADA.

Mr. GIROUARD (Jacques Cartier) introduced a Bill (No. 51) to limit the appellate jurisdiction of the Supreme Court of Canada.

Some hon. MEMBERS. Explain.

Mr. GIROUARD. The best explanation I can offer is to read the Bill, which is brief, and is as follows:—

"1. The appellate jurisdiction of the Supreme Court of Canada is abolished in all cases where the matter in dispute relates to property and civil rights in any of the Provinces, and to matters of a merely local or private nature, and coming within the exclusive jurisdiction of the Legislature of any of the said Provinces, according to the meaning of the British North America Act of 1867 and Acts amending the same.

"2. This Act should not apply to cases decided by the Exchequer Court of Canada, nor to cases where the matter in dispute affects the constitutionality or validity of any Act or Statute of any of said Provincial Legislatures, which cases shall continue to be subject to appeal to the said Supreme Court as now or hereafter shall be provided for.

"3. This Act shall not apply to appeals already instituted or pending before the said Supreme Court."

Bill read the first time.

### CANADA TEMPERANCE ACT.

Mr. BOULTBEE introduced a Bill (No. 52) to amend the Canada Temperance Act of 1878. He said: The provisions of the Bill if they become law will make it necessary, before the Canada Temperance Act goes into effect, that the voters should be a majority of the whole voters of the district.

Bill read the first time.

### APPOINTMENT OF QUEBEC JUDGES.

Mr. McDONALD (Pictou) moved, that the House do now go into Committee of the Whole, to consider the following resolutions:—

1. Resolved, That whereas by an Act of the Legislature of the Province of Quebec passed in the year 1880, entitled 'An Act to amend the Law respecting the Court of Queen's Bench,' provision is made for the appointment of an additional Judge to the Court of Queen's Bench in the said Province of Quebec, and whereas by an Act of the same Legislature passed in the said Session of 1880, entitled 'An Act to amend the Law respecting the constitution of the Superior Court,' provision is made for the appointment of an additional Judge to the said Superior Court of the Province of Quebec in addition to the number now authorized to be appointed to that Court, it is expedient to make provision for the salaries of such additional Judges.

2. Resolved, That the salary of the said additional Judge of the Court of Queen's Bench shall be five thousand dollars, and the salary of the additional Judge of the said Superior Court shall be five thousand dollars a year, payable out of any moneys forming part of the Consolidated Revenue Fund of Canada.

He said: The resolutions themselves contain the grounds upon which I rise on behalf of the Government to propose to the House, a proposition for the salaries of two additional Judges for Quebec. The Legislature of that Province having in view

the better administration of justice has determined that it is necessary that an additional Judge shall be appointed to the Superior Court of that Province, resident in Montreal, and also an additional Judge to the Court of Queen's Bench of that Province. I am given to understand, by those familiar with the requirements of that Province, and with the work actually done by the Judges at Montreal and the Judges of the Court of Queen's Bench, that the additional assistance proposed by the Bill passed by the Local Legislature is absolutely necessary. I have reason to believe that the fact of the required assistance in the higher Court of Queen's Bench and in the Superior Court of Montreal will not probably be disputed, but I believe it is the opinion of some hon. members that the required assistance, especially in the Superior Court, might be obtained by a readjustment of the judicial strength already available in the Province, and that by such readjustment the salary of an additional Judge might be saved. I believe the fact is, that some years ago a correspondence on the subject took place during the time the hon. the leader of the Opposition (Mr. Blake) was Minister of Justice. That correspondence did not result in any definite action in the shape of readjustments in the Province of Quebec. The Legislature and the Government of the Province did not seem to have taken the view suggested on that occasion, that it would be wise to so readjust the available judicial power as to make it unnecessary to appoint an additional Judge for that Province. However that may be, the fact is, as exemplified by the passage of the Act of 1880, that the Legislature and Government of Quebec have not concurred in the view that any such readjustment of judicial power and strength could be made available with benefit to the administration of justice in that Province. I am very glad that some of my colleagues in the Government, and some of my friends in the House who are prominent members of the Bar in that Province, will be able to go into the question more in detail than it can be expected that I can, and therefore, at present, I will content myself with moving that this resolution do pass.

Mr. BLAKE. I think the propositions on the Table for new and increased judicial salaries, form a very curious commentary on the very violent attacks which were made on the late Government, previous to and during the last general election for their increases to the vote for judicial salaries, during their tenure of office. We all remember the extreme acerbity and acrimony with which that subject was prosecuted in the public prints, by orators on various occasions, and in pamphlets widely disseminated by a gentleman who is now a prominent member of the Government. The very fact that there had been large increases in the vote for judicial salaries, without reference at all to the considerations which had influenced the Government in proposing these increases, was pointed to as conclusive. The figures were given as indicating criminal, wasteful extravagance. It is exceedingly satisfactory, I am sure, to those who have survived that storm of attack, to find themselves justified in the view that there had probably been no great extravagance in what was done, by observing proposals on the Table to-day for an increase in the expense of the judiciary of this country, amounting, I conjecture, to about \$30,000 a year. I do not speak of this proposal alone, which is limited to \$9,000, but to all the proposals which are before us. Now, the late Government felt themselves unable to deal with some of the questions with which the hon. gentleman is about to deal, as they desired, in consequence of the financial condition of the country at that time. The revenue was inadequate to meet the expenditure, —and hon. gentlemen opposite may assert that the condition of things has so changed that it is right now to look at this question from an altogether different standpoint. It is true that in one aspect the condition has changed. The revenue is no longer inadequate to meet the

expenditure. It is also true that that change is partly produced by the improved condition of the country; but it is further true that a very large portion of the increase in our revenues is due to the excessive addition to our taxation which has taken place, and but for that excessive addition to our taxation the condition of affairs with reference to the balance of revenue and expenditure—having regard to the large increase which is about to take place in the permanent charge for interest on public debt, and so forth—would, I venture to say, present a very different aspect from that which it presents to the superficial gaze today. To those of us who remember that the promises of the late Opposition before the electors were, that their changes in taxation would be simply readjustment, and not addition on the whole; who remember that the excuse which has been given for a departure from these promises was that the condition of the country was so much worse than the hon. gentlemen who made these promises conceived it to be, that they found themselves obliged, in order to redress the balance between revenue and expenditure, to impose, contrary to their intentions when in Opposition, an increased total taxation, it will be tolerably clear that a prime duty on the part of these gentlemen is, once that balance has been redressed, to lower the taxation which, for that specific purpose, they have increased, contrary to their pledges made to the people before the general election. And the general interests of this country, do, in my mind, require—upon every occasion in which an increase of expenditure is proposed and is attempted to be justified by the fact that we have a surplus—that we should recall to mind that that surplus is, in its largest measure, produced by an abnormal and excessive rate of taxation, imposed for a specific purpose, and which ought to be lowered the moment that purpose has been attained. While I make these general observations, which appear to me to be proper to be made on the first occasion on which, this Session, an increase proposed is to be made to the ordinary public charge, I am quite content to admit that one of the prime duties of Government is to secure to the people governed a due administration of justice, and that any expenditure which is essential in order to secure a due administration of justice is an expenditure not merely excusable, but justifiable in the highest sense. Putting aside, therefore, our financial condition, and assuming that we have a surplus capable of being vindicated as due to a normal and proper rate of taxation, and not to an excessive rate of taxation, and that we are free to act on this occasion, the second, and I frankly admit the larger question is, whether this particular expenditure is under the circumstances needful. If it be needful, it is certainly justifiable. Now, I have always contended for our right, when we were called on to grant a salary for a new Judge, to enquire into the circumstances of the case, and to ascertain whether it was fitting that the additional charge should be imposed on the revenues of Canada. Our constitution, defective in my mind, defective in that it confers upon one Legislature the power to appoint Judges, while it imposes on another Legislature the burden of fixing and paying their salaries, has always naturally led to a too plentiful creation of Judges on the part of that Legislature which has the pleasing function of creating these Judges, without being checked by the consideration that those who have the creating power must bear the burden of paying the officers. I have, therefore, felt it my duty to combat the idea that this Parliament is bound to provide the salary for any Judgeship which may be created by any Local Legislature. At the same time, we are met by many difficulties in dealing with this topic, because it is not within our competence, even if we believe that another means, another mode of legislation, another system would obviate the evil, to give that means or legislation in spite of the Local Legislature; and I am sure

no one will suppose that I am suggesting to the House that we should admit any such change in our Constitution as would give us that power. We are beset with the difficulty that this is a case for concurrent action, and that the greater part of the action necessarily falls within the purview and must be decided by the free vote of the Local Legislature. Still, though we may not legislate so as to give what we consider to be the proper remedy, I am sure I am in the right in saying we have the full discretion and power to suggest the proper remedy, to correspond upon the subject, to discuss the question here, to discuss it as between Parliaments and as between Governments, and if it be possible to reach a solution which may involve a less charge upon the Federal Treasury, at the same time that it gives equal, and in my opinion on this occasion might give much greater satisfaction to the people of the Province concerned. The First Minister himself, when he formerly held that office, did not feel that it was beyond his purview to communicate with the Ministers of Provincial Governments of the West suggesting to them legislation with the view to an increase of the number of judgeships. His opinion was that great evils would befall those remote and sparsely settled countries if they had less than three Judges, for two might differ and there would be no possibility of settling the case; and so, although their population was insignificant, although one Judge alone would be able to do perhaps four times the work, in one of the Provinces at any rate, the suggestion was made by him that there should be legislation for an increase of the number of Judges, in one case, I believe, from one to three and in the other from two to three; and that suggestion was adopted. I am not quarrelling now with that suggestion, I merely mention it as an instance, given very early in our history, of a communication with reference to the judiciary of a Province between this Government and a local Government regarding a change in system. If it be within our competency to impose an increase, it is in our competency to propose some other change which shall not involve an increase; and that is all I am just now arguing for. I believe this question involves considerations which ought to make us hesitate before adopting these resolutions, even if we were not prepared to suggest by correspondence any change of system at all. I will tell you why before I proceed to a consideration of a possible change of system. *Prima facie*, all the arguments are against any increase in the judicial staff of the Superior Court. The judiciary of Quebec consist of, firstly, stipendiary magistrates for certain districts appointed and paid by the Provincial Government, officers who, I think, were wholly created after Confederation; or, if not wholly created, at any rate, much enlarged in the number after Confederation, and the principal charge on the Treasury, in respect to whom, was created since Confederation.

Mr. WHITE (Cardwell). They have been abolished.

Mr. BLAKE. Not wholly. They have been in part abolished, but the hon. gentleman will find, I think, that the salaries are reduced to about one-half.

Mr. GIROUARD. There are only two or three remaining.

Mr. BLAKE. There are, I believe, four remaining. There were none at the time of Confederation. They were introduced after that. The number was increased to a very large number, and has now been reduced; and those that remain are, so far as they do remain, an addition to the judiciary of the Province since 1867. The next branch of the judicial system are the Superior Court Judges, who sit as the Circuit Court, the Superior Court, and the Court of Review. Lastly, we have the Court of Queen's Bench with certain original and also certain appellate jurisdiction. The staff, as it stood in 1867, comprised, so far as I know, no stipendiary magistrates. It now comprises a cer-

Mr. BLAKE.

tain, although a reduced number of stipendiary magistrates. It comprised, in 1867, five Judges of the Court of Queen's Bench, and that number has not been changed, the first proposal to augment it being that now on the Table. It comprised eighteen Judges of the Superior Court; in 1869, two years later, that number was increased to nineteen; in 1871 it was increased to twenty; in 1872 it was increased to twenty-six. Thus there was an increase between 1867 and 1872 of eight Judges, or very nearly one-half, forty-four per cent. in the judicial strength of the Superior Court. The proposal now, so far as the Superior Court is concerned, is further to increase its staff by one additional Judge, making a total increase of nine, or fifty per cent. of an addition to the strength as it stood in 1867. This increase is not, as it ought not to be, due to any increased incapacity or infirmity of the Judges; because, having regard to the creation of so many new judgeships in recent years, the removal by death of several of the Judges, and the extraordinary number of removals by the operation of the provision for retiring allowances, there has been a very great infusion of new blood in the Quebec Bench. The Bench may be said to be almost wholly new. The number of Judges appointed to the Superior and Queen's Bench Courts must, since 1867, be somewhere about twenty, making almost an entire renewal of the Bench, owing largely, as I have said, to the relief obtained by the infusion of new blood through the extraordinary use made, perhaps unnecessarily, but made, at any rate, of the provision for superannuation. In 1867, the Quebec Judges who were pensioned, numbered two; in 1868, they numbered three; in 1871, four; in 1872, five; in 1874, seven; in 1875, eight; in 1876, nine; in 1877, ten; and, notwithstanding the removal of some by death, they stand to-day at that number, ten. There has been consequently a continuous increase in the number of Judges of Quebec who have been pensioned by the operation of this law. The number amounts now to one Judge out of every three. For every three Judges who are in active service, you have one who has retired on a pension, and your pension list for Quebec amounts to-day to \$29,666 a year. Compare that with the state of things in Ontario. There you have over sixty-one judgeships, the incumbents of which are, under certain circumstances, susceptible of retirement upon allowances. Of those sixty-one judgeships, the incumbents of two only are, at this moment, under retiring allowances—two out of sixty-one, or one out of thirty, instead of ten out of thirty-one, being one-tenth the proportionate number of those who are retired in the Province of Quebec. The amount expended in Ontario pensions is \$3,200 as against nearly \$30,000 a year for the Province of Quebec, the amount of money spent being, therefore, in round numbers, one-tenth, for the larger Province with the greater judiciary, of the amount spent in Quebec. Now, I am a believer in the view, however unpopular it may be, that the public interest in the highest sense does require a retiring allowance for Judges, because, unless you have such an allowance, there will be an irresistible temptation to continue on the Bench after their usefulness has ended, Judges no longer able to serve the public. But I do not hesitate to say that if such a use of the retiring power as has been, perhaps, necessarily made—I am not alleging any impropriety in the using of it at present, but bringing forward, simply, the facts—in Quebec, were to become general throughout Canada, you could not retain the retiring allowance provision for a single Session. It would be utterly impossible to resist the argument that there must be abuses in a provision which gave you one pensioned Judge for every three Judges in actual service—which gave you an expenditure in one and that not the largest Province of, in round numbers, \$30,000 a year of the public money in retiring allowances; and as a friend, therefore, of this provision, in the public interest I think it important we should point out, that such

extraordinary and abnormal results have flowed from its exercise in order that we may, if we can, ascertain the reason of this, and guard against such results in the future. Whether this occurred from improper appointments at the start, from improper retirements at the close, from such very great disagreeabilities, as I frankly admit there have been surrounding the position of the Judges in Quebec for some years past, and to which one of the learned Judges of the Supreme Court has alluded in a communication—or from chance, or from the operation of all these causes combined, I am not now about to enquire. But the fact is there, and it is a grave, important fact, well deserving of our attention. At any rate, I think I have proved by these figures, that it cannot be said that the demand for additional Judges in the Province of Quebec can be in any sense due to the circumstance that the Judges have become latterly more infirm, since I have shown you that a most liberal use of the power of superannuation has been made—that very many of the Judges are new appointments—that several have been removed, by death, and that, therefore, you are dealing with the case of a practically remodelled Bench, so far as the men are concerned. If that circumstance has nothing to do with it, have any other circumstances to do with this demand? Is there any increasing litigation due to an increase of population? Certainly not. The population of the Province of Quebec, as I observed the other day, as shown by the census of 1861 and 1871, is almost stationary. The increase in that decade was very trivial. It is quite true that a large proportion, almost the whole of that increase, took place in certain urban populations, and that, therefore, might be a reason for additional judicial strength being required in those cases. But, take the Province of Quebec as a whole, and there can be no doubt there have been no such changes in its circumstances as far as population goes, as would not be vastly over-supplied by an addition to this Superior Court equivalent to 44 per cent., without raising it 50 per cent., which is the present proposal. And while that is the state of things from 1861 to 1871, it is probable that the population has not exhibited any greater increase of population in the current than in the last decade. Well, is there any increase in the litigious spirit of the people? I know an old French monarch once said that the warlike spirit of the French nation exhibits itself in times of peace by these civil or private wars waged among the inhabitants in the Courts, and therefore, whatever be the litigious spirit of the people, it is tolerably ancient in its origin. There is no reason to believe that there is any increase in the character or intensity of that spirit. Is it by reason of any greater facilities for litigation? I think not. There is one important diminution in the matters litigated—I allude to the abolition of the Insolvency Laws—and I am not aware of any other subjects in which there have been given to the people of that Province materially greater facilities for litigation than formerly existed. But I am prepared to abide by the facts in the case, to enquire what the condition of litigation actually is in the district in which it is said additional strength is required, and to be judged by those facts as justifying me, or the reverse, in the position I take. Now, the fact is, that in the district of Montreal there has been not only no increase, but a most marked and tolerably graduated decrease in litigation in the past five years. The Montreal business, as evidenced by the writs issued in the Circuit and Superior Courts for that district is as follows—

I give the round figures:—

1876	In the Circuit Court	14,000
1877	“	12,200
1878	“	10,700
1879	“	10,800
1880	“	8,200

So that there were 49 per cent. more writs issued in the Circuit Court in 1876 than in 1880. Now, in

the Superior Court, the numbers are as follows. Writs issued in

1876	4,400
1877	4,300
1878	3,600
1879	3,600
1880	2,600

So there were 58 per cent. more writs issued in the Superior Court in 1876 than in the year 1880, in which the Provincial Legislature has proposed to add to the number of Judges to discharge the duties of that district. And you must remember that while the business has been diminishing, the staff has been increasing irrespective of the enlargement now proposed. Now, I have shown that in the Circuit and Superior Courts taken together the business was more than 50 per cent. greater in 1876 than in 1880; but you must add to this the fact that the insolvency business, which pressed heavily on the Judges in 1876, 1877, 1878 and 1879, has also been removed. It pressed so heavily that, as I shall show presently, the Judges proposed the appointment of a special Judge in Insolvency for the district of Montreal, whose whole time was expected to be devoted to that work, and, considering the work of the Judges on the basis of numbers, upon him would have been thrown one-sixth of the whole judicial work. This enables us to judge of the great reduction in the judicial work. Besides, within four years the Montreal Judges have been relieved of some of their outside work; the Terrebonne district, formerly assigned to and taken by the Judges of Montreal, has been joined to that of Beauharnois, and therefore the Montreal Judges have been, as the Bar suggested they should be some four years ago, relieved from the discharge of some outside duties which, during the high tide of local business which prevailed in 1876, they were burdened with. You must add to this the further fact that besides being relieved of that outside duty, they have been given, under Provincial Legislation, to which I shall presently allude, a greater measure of relief, that the law which provides for other Judges being brought into requisition to assist them has, during the same period of time—in 1877, if I remember rightly—been so amended as to give greater elasticity to its provisions, and to enable the Superior Court, as a whole, to avail itself more largely of the services of outside Judges to supply deficiencies in the judicial power than at any former period. So that there has been an enormous reduction in the amount of labor and a considerable increase in the strength of the judiciary through the power of calling in outside Judges to assist. Now, Sir, under these circumstances, I think I might ask the hon. Minister to consider whether there is not strong ground to believe that this is not precisely the time at which we should add another Judge to the Judges of the Superior Court of the district of Montreal. If the work could be got through at all in 1876 and 1877, when you had more than one half as much work again as you now have—much more than one half considering all these ingredients—can you not get along with the largely diminished work without adding now to the staff? There is one more test which I will apply to this question—the test of the actual results with reference to the lists. Take the list of cases inscribed for review in Montreal in September last. The number was not less than eighty cases. You are aware that it is competent for practitioners to add from time to time fresh cases to the list, and these cases with those undisposed of at the preceding term form the list for the succeeding term. The list for November last was only fifty-four, showing that there had been a very large diminution in the number of arrears. The list for December was only twenty-seven, showing that there had been a still greater diminution, and that the Judges had been able, not merely to keep pace with the current inscriptions for review, but also to clear off practically the arrears which

seemed to have accumulated. And I am informed by a learned Judge, that these twenty-seven cases, of which a considerable number were actually disposed of during the December term, would have been altogether disposed of if it had not been that my friends and colleagues of the Bar of Quebec, were, as they sometimes are in other Provinces than Quebec, not quite ready to go on; and so a few of the cases remain undisposed of. That was the condition in December of the inscriptions in review—that the work was up to time, and that there were really no arrears; that, on the contrary, the arrears had been worked off and there was nothing to complain of. Now, Sir, I wish to refer to the opinions of authorities which are, in my view, of very great consequence on this subject. My hon. friend the Minister of Justice has adverted to the correspondence that took place during the time when I held his office on the subject of the judicial staff of Quebec, and as that correspondence has been brought down, I have to trouble the House with a reference to it. The first paper in that correspondence is a representation which was made to His Excellency by the section of the Bar of the district of Montreal through the medium of the Bâtonnier, Mr. Kerr, on the 4th November, 1876. I call the attention of hon. gentlemen to the date of this representation, because I have pointed out what was the state of business in that and the following years. I have given you a comparative statement of the amount of business doing in the district of Montreal, and I have shown you that the business which was before the Court at the time these representations were made was very much larger than the business now before the Court. Now, Sir, this representation says:

"That the judicial affairs of the district of Montreal require the unceasing labor of the six Judges appointed to administer justice therein."

There is no allegation that they want more than that number of men to do the very large amount of work that was to be done at the time. Then we have this suggestion:

"That none of those Judges should be called upon to fulfil duties out of the city of Montreal, and that any of the honorable Judges who is, or becomes unable to perform his share of duties for any cause whatever, should be temporarily or permanently replaced."

The learned Judge, to whom the next resolution refers, has since died, and I am sure no one will desire that I should read his name. There was a difficulty created by a mistaken judgment on the part of the learned Judge, of the duties he was to perform. Now, the importance of this representation may be judged by the character of those who promoted it. I find that it was promoted, in the first instance, by a requisition, calling a meeting of the Bar of the section of Montreal, and on it I find the names of a great many gentlemen; I find the names of all of those who are at all known to fame—108 members of the Bar altogether. I dare say every member of the Bar who has a seat in this House, from the district of Montreal will find his name upon it. The adjourned meeting at which the resolutions were adopted, was also attended very numerously by fifty-eight members of the Bar, and I find there are also many eminent names among those who attended that meeting. The resolutions passed at that meeting were the basis of Mr. Kerr's representation. They declare: "That the judicial affairs of this district require the unceasing labor of the six Judges appointed for it," and they call upon the Government to arrange, if possible, that none of these six shall be called upon to perform outside duty. The memorandum to Council upon this memorial signed by me, said:

"The importance of the interests involved and the weight to be attached to the representations made are very great. The undersigned has been for some time aware, from the ordinary sources of information, that difficulties of a grave character were attending the administration of justice in the district of Montreal.

"These difficulties appeared to him to proceed mainly from the unsatisfactory distribution of the available judicial strength of the Province

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of Quebec, but in part also from the views of Mr. Justice Mondelet as to his judicial duty referred to in the petition.

"The undersigned is fully sensible of the limited extent of the powers of the Canadian Government in this matter. That Government has not the wish any more than it has the power to interfere with the constitutional rights and responsibilities of the local authorities; and the undersigned feels sure that the intention of any suggestions which may be made will not be misunderstood.

"To the Local Government under the Union Act is committed the constitution, maintenance and organization of the courts of justice, and the administration of justice; but Canada (which is called on to determine whether effect should be given to any local law for the creation of additional judgeships, which fixes and provides the salaries of the Judges, and makes their appointments, and whose laws are administered by the Provincial Courts) has so great an interest in the efficiency of the system that it may not be improper, in view of the representations of the petition, to call the attention of the Local Government to the pressing difficulties which exist, and to some suggestions for their alleviation.

"To entirely remove these difficulties, and to place the judicial system in the highest state of efficiency may possibly require extensive and radical changes which the undersigned does not presume to suggest. He limits himself to the suggestion of some simple amendments which may, pending the consideration of a larger scheme of reform, lessen at any rate, though they do not altogether remedy, the more glaring evils.

"The undersigned has already referred to the unsatisfactory distribution of judicial strength. The business done in several districts, to each of which separately is assigned a Judge of the Superior Court, appears to be very small and quite insufficient to occupy any considerable proportion of the time of the Judge.

"The cost of the administration of justice in these districts is thus unnecessarily large. At the same time, the business in the other parts, at any rate in the district of Montreal, is very heavy, and apparently over-taxes the Judges specially assigned to that district. Thus, while the undersigned has no reason to believe that the whole judicial strength of the Province would, if properly applied, be at all inadequate to the whole judicial work of the Province, he is led to the conclusion that the present distribution prevents the satisfactory accomplishment of the work devolving on the Judges."

Then I proceeded to make certain minor suggestions to which I have already referred, proposing that more power should be given to the Chief Justice and Judges of the Superior Court to utilize the available strength where it was required, and proposing also that attention should be called to the view that none of the Judges of Montreal should be asked to do work outside their district. Not long after a paper was presented to myself, on the 20th of February, 1877, by five Judges of the Superior Court, residing in and performing their duties in the city of Montreal. That statement was this:

"We, the undersigned justices of the Superior Court for Lower Canada, sitting in the district of Montreal, have the honor to represent that the exigencies of the administration of justice in this district urgently require that the Judges in charge of this district should have additional aid in the performance of their duties, and that such aid would be materially supplied by the appointment of a special Judge in Insolvency for the district of Montreal."

That was signed by all the Judges of the Superior Court except Judge Rainville, who was at that time, unfortunately, too ill to discharge any duty. Upon that I pointed out, as is shown by the report in the papers of the 27th of February, 1877, that ameliorative provisions had been already passed by the Legislature of Quebec in the sense suggested, and that the circumstance that Judge Rainville was ill, being temporary in its character, did not justify a permanent change in the judicial system, but rather pointed to temporary arrangements to meet a temporary disability. I pointed out, further, that neither the petition of the Bar to which I have referred, nor under the circumstances of Judge Rainville's illness, the representations of the Judges, showed that more than six Judges were required for the discharge of the judicial duties of the district. I also pointed out that, if that were established, there remained the question whether the proper distribution of the whole judicial strength of the Province would not remedy the evil. I added:

"If I am not misinformed, the Attorney General of Quebec stated, in his place in the House, his opinion that the whole judicial strength of the Province would, if properly distributed, be adequate to discharge the judicial duties of the Province."

Well, Sir, this subject engaged the attention of the Government of Quebec, then led, I think, by Mr. DeBoucherville, and a despatch was sent by the Lieutenant Governor, of the

24th of April 1877, giving the deliberate conclusions of that Government in the same sense; and I refer to this despatch more particularly because the hon. the Minister of Justice seemed to be under the impression that these representations had been wholly fruitless. I have pointed out that they were not wholly fruitless, but that they were fruitful in that they produced some amelioration, and they were also fruitful in producing a consideration and a decision upon a main branch of that subject, the proper distribution of the judicial strength of the Province; although ultimately it did happen that that decision was not availed of by the Government, still there was a period, as I shall show in a moment, at which they had determined to take a better course. The Governor wrote on the 24th of April, 1877:

(Translation.)

"GOVERNMENT HOUSE,  
"QUEBEC, 24th April, 1877.

"Sir,—With reference to your despatch (460 on 283), dated 7th March last, I have the honor to represent to His Excellency the Governor General that one of the causes of the difficulties which have arisen in relation to the administration of justice in the district of Montreal, pointed out by the Minister of Justice on the 8th November last, is the defective distribution of the staff of Judges of the Superior Court.

"With a view for providing a remedy for this evil the Legislature of this Province, during its last Session, passed the Act 40th Victoria, chapter 13. By this Act the Chief Justice of the Superior Court is empowered to call upon one or more of the Judges of districts, other than those of Quebec and Montreal, temporarily to perform the duties of their office in such district. The 4th section of that Act further provides that the Judge officiating in the district of Beauharnois, should likewise officiate in the district of Terrebonne, hitherto assigned to Judges resident at Montreal.

"The carrying into effect of that enactment will have the effect, if not entirely doing away with the existing evil, at least of greatly diminishing it.

"I further consider it expedient to point out that, in accordance with the law, a Judge of the Superior Court must reside in the County of Bonaventure and another in the County of Gaspé. The removal of Judge Caron to Quebec has created a vacancy in the County of Gaspé. That vacancy should not be filled; one Judge will suffice for the administration of justice in the two counties. The Judge to be appointed in lieu of Judge Caron might be called upon to discharge the duties of his office at Montreal. The Government of Quebec are prepared to amend the law accordingly. By this proposition the number of Judges of the Superior Court would not be increased, and the inconvenience complained of at Montreal would be done away with.

"I have the honor to be, Sir,

"Your obedient servant,

"(Signed) L. LETELLIER,  
"Lieutenant-Governor.

"The Hon. Secretary of State, Ottawa."

Now, Sir, it is therefore very plain that at that time, namely on the 24th of April, 1877, the Government of Quebec was ready to recognize, and did itself propose to recognize the view that there was an improper distribution of judicial strength, and that the provincial law should be so modified, as that the Judges assigned to districts in which there was nothing to do should be made available for districts in which there was something to do, whereby, without increasing the total number of Judges, all the judicial work might be accomplished. The answer of the Government of Canada to this despatch is to be found in an approved report from myself on the 3rd of May, saying:

"I believe that this suggestion is worthy of adoption. As far as I have been able to learn, there is really hardly anything for the Judge of Bonaventure and Gaspé to do, and the Local Government of Quebec having properly taken upon itself the responsibility of proposing that the law should be altered so that one Judge should discharge the duty both of Gaspé and Bonaventure, and that the judgeship abolished at Gaspé should be transferred to Montreal. I think that the Government should do nothing which would interfere with so considerable a reform."

My successor in office, in the month of October, 1877, adverted to the same subject, and pointed out that it was important to communicate to the Government of Quebec, that this Government agreed in their view and was prepared to do all in its power to carry out that view. Well, Sir, you find thus an acknowledgment at that time on the part of both Governments, that the system was defective, that it involved a waste of judicial strength, and that, without increasing the expense or the number of the Judges, changes

might be made which would give to the people all the relief desired. I contend that the figures I have given to the House show that no additional Judge is wanted, even under the present system, in the district of Montreal, that those figures as to the business indicate this result conclusively, unless there be some other consideration contradicting these figures in a manner which it is impossible for me to anticipate in any way. But I contend that if additional help is wanted, we are not going the proper way to get it. I contend that if you do not adopt my view, that there is no necessity in the present state of legal business in the district for more help; if you determine that there is a necessity for more help, you still are bound to look a little further afield before you determine that this is the way to give that help; you are bound to look back and forward. This communication of the Government of Quebec indicates the concurrence of opinion between the two Governments on the general principle which ought to apply. I say that by a proper use of the Superior Court Judges in the rural parts, all difficulty would be removed on this score; and I say much more than that. I say that the efficiency of those Judges for the work they have to do in the rural parts and in the central parts would be very much promoted by such a use of them. To so arrange the business that those men should have a share of the central work would be the best guarantee you could have for their remaining conversant with the law and affairs generally, and doing their duty in the districts to which they are assigned more efficiently than you can hope they will do under the present circumstances. What are these circumstances? Take the respectable district—respectable in point of the number of litigations as compared with some others—of St. Hyacinthe. Within that district the terms of the Circuit Court last four weeks, and of the Superior Court four other weeks, eight weeks in all; fifty-six working days in the year comprise the extreme judicial work of the Judge in that district. The number of Superior Court contested suits in that district was, in 1877, 8; in 1878, 33, and in 1873; 34; and I need not say that it was extremely easy for the Judge to dispose of that number of suits within the period I have referred to. In the district of Saguenay, the number of contested Superior Court cases was, in 1877, 3; in 1878, none, and in 1879, 5. In Gaspé and Bonaventure the number was, in 1877, 1; in 1878, 1, and in 1879, 5. Of course, there is some other work to be done, work which requires, in many places, a local judge, but this is the most important, and I need hardly say, that if this is the extent of the important work to be done in these districts, there does not seem to be any great necessity for the men to work the whole year round. If you compare the whole work done in the Province with that done in Montreal, you will arrive at similar conclusions, indicating that if there be an over-employment or an adequate employment in Montreal, there is certainly a very much under-employment outside of Montreal. The number of contested cases in the Superior Court in the whole Province in 1877, was 1,739; in Montreal 952; and adding, as the book from which I make these extracts (Mr. Pagnuelo's book) proposes to do, the cases in the Court of Review, and multiplying them by three, the number of Judges in those Courts, we find a total number of cases in the whole Province in 1877, of 2,516, and in Montreal of 1,450; in 1878, the number in the whole Province was 2,544, and in Montreal, 1,353; and in 1879, the number in the whole Province was 2,678, and in Montreal, 1,307; so that, speaking in round numbers, Montreal takes more than half of the whole of that business. The number of contested cases adjudged in seventeen rural districts, with fifteen or sixteen Judges, was, in 1877, 404, but in Montreal alone, with but six Judges, 1,450; in 1878, in the rural districts 382, but in Montreal alone 1,358; and in 1879, in the rural districts 504, but in Montreal alone, 1,807. So that it is perfectly clear that the work done outside, even were the staff equal, would bear no comparison

with the work done in Montreal. The result, practically, of course is that the Judges outside of Montreal in almost all of the districts, are very much underworked. And there is another court, the Lessor and Lessee Court, in which the disproportion of the work done in Montreal and in the outlying districts is perhaps more marked. Now, I do not hesitate to say, that, under these circumstances, the natural tendency of the Judges is to deteriorate. The less they have to do, the less they will do. The less work you impose upon them, the slower they get; they do not add to their knowledge of law; they rather diminish than add to it. I am not speaking of the Judges of the Province of Quebec specially, for I do not pretend to any special knowledge, but I am speaking of my knowledge of what Judges generally become under similar circumstances. I say they are not better lawyers or better Judges, but worse lawyers and worse Judges for each year you keep them idle and unemployed. They rust. They do not keep themselves informed either on law or on general affairs, which is a most important part of a Judge's duty. It is most important that a Judge should be *au courant* with the course of affairs—I do not mean political affairs of course. I do not suppose they will know anything of this debate, for they will not read it, but I mean the course of business affairs, and so forth, a knowledge of which is an important part of the acquirements of a Judge. How are you to expect that of these persons, resting in a country village, occupied with little trifling matters only during the whole year round, and moving in a very narrow circle? There is also an evil experienced even under a system which is not at all so much exposed to it as the system to which I am referring. So guarded are those who have considered this point, that it is, as we know, the rule in England that the Judges in the high Courts—men occupying the highest positions in the realm—do not go to the same assize twice consecutively. They go to the same assize only at intervals; that has been the rule from time immemorial. So in Ontario the Judges are not expected to visit the same towns years after year; but there is a sort of rotation, by which the visits of the same Judges to the same towns are made only at long intervals. But in the present case, you find the Judges not only doing the whole business of a place which is small, but doing no other business, mixing with the same men, with a comparatively small Bar and a comparatively small society, with all the little gossips, cliques, intrigues and prejudices that grow up in a long series of years in such a society; and I say you place your Judges in a different position from what you ought, if you do not endeavor to separate them for a time from those associations, and give them other work in a different sphere, so that they may compare their work with the work of others, see the modes in which other Bars and other Judges conduct their business, and mix more in large matters than they are able to do in the narrow circle in which you condemn them to revolve. I say, therefore, that if you went no further than to make some provision by which your Judges in the Superior Court could be called upon, more systematically than at present, during the long leisures which they have in their own districts, to take a part in the work of the judicial business centres, you would not merely have sufficient judicial strength, but you would make these men better Judges than they can be under the system which condemns them to this isolation. Now, if there is to be no more radical change at all, if you are to limit your aspirations to this, this gives you an adequate and sufficient remedy. It not merely dispenses with the necessity of a new Judge, but I say it gives you an added judicial strength of three or four Judges, because it improves the position of your rural Judges so much that their real strength would be enhanced to that extent. Your system does not work well. There is no question about that. I will apply one test which, I think, may be accepted

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everywhere as a sound test of whether a judicial system works well or not. I refer to the degree of confidence which the Bar and the suitors evince in the decisions of the tribunal, of first instance, as proved by the proportion of appeals from those decisions. There is no more easy, practical, obvious test than that, and I say that the Province of Quebec, as is shown by the statistics in the little work to which I have referred, occupies a very unfortunate position in that particular,—a position not paralleled, so far as I know, by that of any other civilized country in the world. The judgments in the Superior Court in 1877 numbered 1,737. Of these there were 262 appeals to the Court of Review, and 259 to the Court of Queen's Bench, or a total of 521. In 1878, the judgments numbered 1,851, and the appeals were 237 to the Court of Review, and 227 to the Court of Queen's Bench, a total of 464. In 1879, the judgments numbered 1,955, of which 241 were appealed to the Court of Review, and 199 to the Court of Queen's Bench, or a total of 440. I am quite aware that appeals cannot be taken, in a certain class of cases, from the Court of Review and the Court of Queen's Bench; but, for general purposes, it is not necessary to go into minor details. I am merely, in a general way, showing the large proportion of appeals from judgments in the first instance. I stated, last Session, that out of 1,500 decisions, given almost entirely by single Judges in the Court of Chancery in Ontario, there were twenty-five or thirty appeals. I ask you to contrast those figures and consider what they mean. It is not possible to measure the significance of this disproportion of appeals to judgments in the first instance. Be it one-fourth, or one-fifth, or whatever it may be, it means an inconceivable amount of misery, uncertainty, expense, delay and difficulty to suitors, and the prolonged duration of that acrimony and trouble that attend litigation while it is going on. All these things we may speak of, but it is extremely difficult to measure in figures the amount of misery and distress occasioned to the people by their judiciary being in such a condition, that so large a proportion of the decisions of Judges in the first instance, are not accepted as satisfactory and final. As a general rule, I am not one who goes very much for restricting the right of appeal in particular cases. I go rather for seeing that your system of administering justice is such that the people are as a rule, satisfied with the decision of a Judge of first instance, than for preventing them, when dissatisfied, from going further. What I want this House, and particularly the hon. members from Quebec to address themselves to, is this serious question, whether there is not something wrong and vicious in a system which produces such results as to the degree of confidence in, and finality of their decisions of the courts of first instance. How much more judicial strength—and that is a minor question compared with the happiness of the people, because it is only after all a question of a few thousand dollars—yet how much more judicial strength, and therefore, how much money, would you save, if you could so arrange your courts of first instance, as that their judgments would command more confidence. Looking at the large amount of business your Court of Review does, the business of the Court of Queen's Bench, in its appellate jurisdiction being largely diminished, you will see at once that your judicial strength, instead of being insufficient, would be more than adequate to the emergency. The Quebec system of jurisprudence has no doubt very great advantages. No one can undervalue, no one ought to undervalue, who looks at the subject at all, those advantages. No one can undervalue that great monument of human wisdom and experience from which your code and system are drawn, the Roman law. And we who are somewhat without its influence, do not—I beg you, Sir, to believe, because we are not completely governed by it—at all undervalue it. On the contrary, I quite admit that you have theoretically very great advantages over us, and we in Ontario are endeavoring

to remove some of our relative disadvantages. It is a disgrace to us as a people, in my opinion, that we should so long have permitted ourselves, in glaring contrast with you, to have a double system of jurisprudence, one conflicting with the other, one to correct the errors into which the other fall. I admit all that, and while I say we are now engaged, and have for a long time been engaged, in endeavoring to overcome that difficulty, and to bring our system in theory and in principle into something like the advantageous position in this particular which yours enjoys, I go further, and say that we are perhaps more and more building, year after year, as new and untried cases arise, on the foundation of the Roman law on which yours is based. But I may be permitted, perhaps, to suggest that in the practical working of a system much more defective in theory than yours, we have found some methods which are not wholly unworthy of your attention. I may be permitted to suggest that there are some things in practical work in which we have achieved greater success for our people, in spite of our defective system, than you have yet done. Your civil code is one thing; your code of procedure is quite another. There are things which are well worthy the ambition and energies of law reformers everywhere. While we are endeavoring to make our system in theory and practice more perfect, we have gone far already to practically simplify our procedure. We have got rid of your *exceptions dilatoires*, your *exceptions à la forme*, your system of *enquête*. We do not hear any longer these demurrers, these technical objections, these lawyers' difficulties which go so far to confuse and mystify the real question at issue between parties, and substitute for it some question in which only the lawyers have any interest at all. Our rule is that the Judge is bound by the law to make such amendments in the pleadings as will enable the real question at issue between the parties to be decided then and there in the case before him, and that he is bound to give his decision according to the very right and justice of the case. These are the fundamental principles towards which we work in a practical use of the more defective system under which we are living, and thus it is that we have shortened procedure very much. We are sooner in coming to an issue, we are shorter in trying the issue, and shorter in reaching a determination. We find no man turned out of Court, to commence again another suit for the trial of the same question. We find the whole thing settled, and quickly settled, in one suit; according to our system as it is worked, there are no public grievances, as in Quebec, with regard to delays. But I think that everybody who looks at the procedure in that Province must be cognizant of the fact that there are most serious delays which, in many cases, are equivalent to denials of justice; and there is a class of cases in which the slowness and tardiness of justice in Quebec crops out in a way which makes it conspicuous sometimes to the members of this House. We but need to look at the election trials and the length of time it takes for a Quebec Judge first to try an election case and then to make up his mind after a slow trial, we need but to compare the returns which come from Quebec with the returns from Ontario and other Provinces, to see there is a habit of slowness and retardation which is very fatal indeed to efficiency. While such is our practice, we have also, I think, even in the matter of carrying out our laws, advantages which the Province of Quebec does not possess, and which touch closely the topic which we are now discussing. We have combined to a very great extent the advantages of centralization and decentralization, because there are advantages in both. What have you got? I say that half the time of your Superior Court Judges is occupied with the discussion of trivial affairs which ought to be dealt with by local Judges of an inferior Court altogether. I say the adoption of the system of inferior Judges or magistrates, appointing, of

course, men of ability, probity and integrity, while still not of the standing required for high class work, would enable you, without increasing the public charges, to increase the efficiency of the administration of justice. It does not suit to have high class Judges, who have to decide complicated and knotty legal questions involving long arguments, and which are to be settled according to the settled rules of laws, engaged half their time in petty affairs which have to be decided according to some sort of rough justice, to what is called equity and good conscience, and not according to law. The mere labor, irrespective of the character of such work, is enough to divert the ability of the Judges from the special work for which they are needed, the high class work. We have, therefore, local Judges which reside in the localities where they officiate, and who have a very considerable civil and criminal jurisdiction, under which they perform a large amount of work; and, I believe, under some of the amendments contemplated in the Ontario Legislature, our local Judges are to have a very considerable amount of work to do in questions that arise in the progress of suits, in the Superior Courts, with questions of pleading and other interlocutory proceedings. We do not centralize to any avoidable extent: we do not require writs to be issued in only one locality. Writs are issued anywhere in the locality in which the suitor lives, the intermediate proceedings are largely conducted there by local bars, and the trial takes place in the most convenient place; all inferior matters of justice are managed by the local Judges in the different districts, and all more important matters are also managed largely on the spot by high class Judges, who make their circuits, and who are constantly engaged in the different parts of the country doing the same class of important work, and who come practically to every man's door to dispose of his litigation. Now, the improvements which have taken place in locomotion from the increased number of railways and other facilities for travelling, by which the Judges can go to distant parts of the country, are not to be left out of consideration. When your system was adopted originally, the condition of all the Provinces in this respect was entirely different, and it would be extremely easy now to make arrangements, which would then have been quite impossible, for utilizing the Judges more extensively, and enabling a small number of high class Judges to do the work all over the Province. In this way legal facilities can now be supplied at little cost in all cases, both great and small. You might thus get justice administered on the spot, and local judges in every district where there was sufficient business. Thus one County Judge might do all the ordinary and inferior business of a considerable district. He or some other legal officer would attend to all the matters of pleading. The trial would take place on the spot, and for any important trial you would have a high class judge. By this system you might use your Judges more, and distribute them better than now. You would then require fewer Superior Court Judges. You would be able to pay them a compensation more worthy of their work and larger than you can now propose; and that is one of the evils of the present proposition, that it would defeat any readjustment otherwise practicable by the creation of new offices of a character which ought not to continue, and would defer that justice which might be done the Judges were a proper system adopted. I believe there need be no increase of charges to the public. I believe the ultimate adoption of this plan, which might be adopted gradually, by putting into the local districts, as Superior Judges were removed, local Judges of inferior jurisdictions at smaller salaries, would enable you to accomplish great results without any increased charges. But if there were an increase, I would cheerfully vote for any reasonable amount which would be productive of truly beneficial results in the admini-

tration of justice. My object has been to try to point out other methods which ought to be considered before we go further in a direction I think erroneous, and I think that we ought to endeavor to put the system, so far as our limited power extends, on a really sound, instead of continuing it on an unsound basis, and extending the unsound foundation on which it now rests. I intend to say very little about the additional Judge for the Court of Queen's Bench. You will have observed, I think, that from my point of view that step is also premature, because I have been pointing out that the number of appeals is entirely in excess of what it ought to be under a proper system; and if you are going to change the system and diminish the appeals, you would be diminishing the work of those Judges. But that is not all. One of the Judges of that Court not long ago published some memoranda on the subject, and that in view of the proposed Provincial Legislation. I shall trouble the House with an extract or two from these memoranda which have been published in the *Legal News*. Here are the suggestions made by Judge Ramsay:

"It is generally admitted that the Court of Queen's Bench, with its terms, as at present organized, is unable to deal with the work before it. If any evidence of this were required, it is to be found in the fact that there were about 120 cases ready for hearing in the district of Montreal in the March term of 1874, and that to-morrow we shall find ourselves in face of a roll of eighty-four cases. Of these cases we shall probably hear thirty. In a little over six years, we have therefore only made up our leeway to the extent of thirty-six cases. Evidently this is too close to be pleasant. Again, there are only two terms of the Criminal Court, and they have expanded into terms of from five to six weeks."

"The practical question that presents itself is as to the remedy to be applied. It is impossible to devise a remedy without having some positive knowledge as to the cause of the complaint. If a Court cannot keep down arrears, it is at once proposed to name more Judges, and the superficial observer is immediately satisfied with this expedient. If, really, the Judges of the Queen's Bench had too much to do, an addition of their number might, perhaps, be necessary. But I contend that the Judges ought to be able to do all the work before them, and are able to do it, if the Government and Legislature were content to give them leave to manage their time according to the requirements of suitors. In a word, the real difficulty arises from the existence of terms on the appeal side, and from their infrequency on the Crown side of the Court."

He says again:

"I have accompanied my criticisms with suggestions of amendments of a very simple kind, which I venture to affirm would enable five Judges to dispose of all the appeal cases likely to arise in the Province for the next twenty years. Second, that a change is now contemplated which, if anything, aggravates the evils of the present system and adds a new one."

He says further on:

"The scheme I have proposed, and which has met with the concurrence of the Bar, is to make the quorum of the Court four without any faculty, to name a fifth Judge, the judgment being either confirmed where there is an equal division of opinion, or a rehearing in chambers before the fifth Judge, to abolish all terms and to permit the Court to sit on such days at Quebec or Montreal during eight or nine months of the year as the Court or Judges shall from time to time fix and appoint."

In the second letter he says:

"The proposition to increase the number and to protract the length of the terms is totally delusive. It fills the eye of an uncritical public, but it does not do the one thing needful, it does not give the Judges of the Court of Queen's Bench greater facility for getting through their work than they have at present."

He points out the reason:

"The only hope I see is that the badness of the measure now before the Legislature may lead to some change in practice, which it is not easy at present to foreshadow. This is not a very promising way of considering the matter, but it is all the consolation we can expect, for the measure is sure to pass. The luxury of creating a new office is too dear to the Government heart to be readily abandoned. With a bad measure the sixth Judge is almost a necessity; with a good measure no apology can be offered for his existence."

That is the view of that gentleman, a member of this Court, so much overworked. He declares it is entirely unnecessary to appoint the sixth Judge, because other remedies which he points out would answer equally well. I might say that there seems to me—looking at it from another point of view, I admit—a great deal of reason in the view that a modification of the law as to the terms of Court would be of great importance. In the Province of Ontario we have terms, in

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one sense, that is to say: there are fixed days on which the Court of Appeals should sit, but it is entitled to sit on other days, and it is entitled to protract its sittings until the business before it has terminated. It is not limited to a fixed number of days within which it must finish the business before it, but it is given the utmost elasticity in order to accomplish the duties which it does accomplish. I say that in the face of such a letter from one of the Judges of the Court, I think the subject ought to be further considered, and if it be true that a more extensive plan of reform would diminish the appellate labors of the Court of Queen's Bench, on that account alone it is not convenient, in my view, at this time to adopt this measure. I shall not attempt to discuss the details of proposed changes. Various changes have been proposed at various times. I feel my incompetency to enter into the discussion of those questions of detail; in truth, I have felt that it was an extremely delicate task for me to interfere at all in this matter, but I have felt at the same time that my hon. friends would recognize the spirit in which I have attempted to deal with the subject, as one which, however imperfect my observations might be, was not at all invidious. My desire has been to give such suggestions, as from my experience—widely different though it be from theirs—it seemed to me might be useful to the Province of Quebec, and to my fellow-members of the Bar from that Province, upon a subject of importance to all, but of extreme importance to them in regard to the administration of justice in that Province. All I suggest—and I may say I have no intention of enforcing my recommendation by any hostile proposition, at least, at this stage—is that the case is one for pausing. It was not until June last that the Provincial Legislature determined to create these Judges; that Legislature will shortly meet again; and if the discussion which is to take place at this and later stages of this measure should lead to the conclusion in the minds of my hon. friends from the Province of Quebec, that there are serious evils in the administration of justice in the Province not likely to be remedied by this measure, and that these evils required some more searching measure of reform, would it not be well to postpone, at any rate for one Session of our Legislature, the adoption of a plan which does not appear, so far as I can judge, to be rendered necessary by the present state of business—which does not appear to be urgent in that sense—of a plan whose adoption, followed by the filling of these judgeships, will necessarily create fresh embarrassments instead of rendering easier the path of reform. I have to apologise to the House for having addressed it at such a length; but I may say that from an early period I have taken a deep, though I admit, a very imperfectly informed interest in the administration of justice in the various Provinces—an interest which was naturally deepened when I was Minister of Justice, particularly with reference to the Province of Quebec, when I had occasion to meet the representatives of the Bar and Bench as I have stated, and also to deal with other matters in connection with the judiciary of that Province. I hope that the members from Quebec will not so misunderstand me as to suppose that I desire to put any undue pressure on the Local Legislature of that Province. I should resent that kind of pressure, if it were sought to be applied to the Legislature of my own Province; and I should, as I hope my hon. friends believe, equally oppose its being exercised against the Legislature of Quebec. But I think, charged as we are with the duty of creating a Judge and of fixing his salary; knowing as we do that a large portion of the laws administered by these Judges are our own laws, I think it is not out of place for us carefully to consider any proposals for additions to the judiciary of any Province, and to see whether the steps we take are really in the direction of permanent reform, or whether they are

not calculated to be even palliative of the evils which it is desired to remedy.

Mr. MOUSSEAU. —There are two very distinct divisions in the speech of my hon. friend the leader of the Opposition. One portion of his speech is specially directed against the resolutions before the House, and the other is a general attack upon the system of administering justice in the Province of Quebec. The hon. gentleman complains of the mischievous effects of a position of affairs under which we have the power to create new Judges, but have not at the same time the power of providing for their payment. Well, Mr. Speaker, it is a very good argument to ask for an amendment of our British North America Act, but it is not at all an answer to the resolution submitted by my hon. friend the Minister of Justice. That Act was a compact, it was a result of a national treaty entered into by four Provinces, and cannot now be touched on the mere resolution of my hon. friend, because in its operation it may occasion some inconvenience displeasing to the hon. member for West Durham. The Constitution is so clear in its terms that it was impossible for that hon. gentleman to speak seriously against the resolutions of the hon. the Minister of Justice, according to the request of the Provincial Legislature to pay the additional Judges it deemed necessary. The hon. member for West Durham took another course which may be very clever, but it is one, according to my humble opinion—and I venture to express it most respectfully—which is not worthy of him. Instead of facing the difficulty, instead of saying to the Province of Quebec, you shall not get your Judges paid by us, he made an onslaught on the system of the judiciary in order to induce the House to refuse to pay those Judges. He says it is impossible for the Dominion Parliament to consent to pay for such a system, for such an administration, and for such Judges. I repeat that it is unworthy of my hon. friend, and ought not to be found in his mouth. Section 92 of the British North America Act, section 14, positively says:

“The administration of justice, including the construction, maintenance and authorization of the Provincial Courts, both of civil and criminal jurisdiction, including procedure in civil matters in those Courts.”

Here is laid down the compact accepted by the four Provinces. It was accepted because they wanted security under the new system, and they agreed in thinking that the Provinces should have the absolute right of providing for the administration of justice, and that at the same time the central authority, which received large portions of the Provincial revenues, should provide for the payment and maintenance of the Courts created by the Provincial Legislatures. For this reason, a few sections later, it is provided that the Judges then acting, as well as those thereafter appointed by the central authority, should be paid by the Dominion Government. In accordance with these provisions of the Constitution the Province of Quebec introduced a Bill last Session to increase the number of Judges of the Superior Court and the Court of Queen's Bench. This is not the first time that this subject was before this House. Last Session, when the hon. the Minister of Justice introduced a similar resolution for the payment of two new Judges created by the British Columbia Legislature, there was a debate and an expression of opinion by several hon. members, and I think the principle I have stated was entirely acknowledged on both sides of the House, not only by the hon. leader of the Opposition, but by the right hon. leader of the Government. The hon. Minister of Justice, in introducing his resolution, said:

“I presume the House will feel that the Legislature of British Columbia is more competent to determine the judicial requirements of that Province in the ordinary administration of justice, than this House could possibly be. I therefore move the resolutions.”

The hon. leader of the Opposition took exception to those resolutions, and, in the course of his observations, he said:

“I quite agree that as a general rule, unless there are good reasons otherwise, great weight ought to be attached to a proposal deliberately made by a Provincial Legislature.”

The same ground was taken by the leader of the Government. Now, I would be disposed to go even further. I can understand the hon. gentleman taking such a position as this: If it appears that the Act of the Provincial Legislature creating new Courts and appointing new Judges, was passed with intent to defraud the Dominion chest, without there being any necessity for these new Courts and Judges, then this House would be justified in refusing to pay the salaries of the Judges. Did the hon. member for West Durham dare to say that the Quebec Legislature passed this law only for the purpose of extorting from the Dominion chest \$10,000 a year? No. Instead of saying that, he took the ground that the Province did not need any more Judges. But the House will observe that he did not, as he did last Session, propose an amendment opposed to the sense of the resolution. He contents himself with opposing the resolution on the ground that our system is bad and that we can do without other Judges. Well, Mr. Speaker, I must admit that he acted very prudently. As I shall have occasion to show, there is a real necessity for more Judges in the Province of Quebec. We have the best authority for stating there is such a necessity. I will venture to say that though the hon. member for West Durham is very clever, very skilful, and knows everything, there are persons in Quebec who know as much about this question as he does, and perhaps more. I am glad to inform that hon. gentleman that in the Quebec Legislature we have a splendid area of talented young men, very clever and very eloquent, and many of them well versed in the hon. gentleman's own profession. That Legislature formally declared that there was necessity for a sixth Judge of the Court of Queen's Bench, and for an additional Judge of the Superior Court to sit at Montreal. There was not a dissenting voice in that Legislature as to the necessity of these two new Judges. Indeed, that body was similarly unanimous on this matter in 1878-79, when party spirit ran very high in that Province. However, the necessity of appointing those new Judges was so recognised and admitted by every one on both sides of the House, that the Bills passed unanimously, as will be seen by referring to the journals. An amendment was proposed by Hon. Mr. Irvine, and at once withdrawn, after having heard the explanations of the Government. When we remember the intensity of party feeling in Quebec at the time, owing to the Letellier matter, and notice the unanimous feeling displayed respecting this measure, it must be held that its necessity was proved, and that the Province was really in need of increased judicial strength. Before coming to the details of the speech of the hon. member for West Durham (Mr. Blake), I desire to lay down some principles, and cite some historical facts which will enable the House better to understand the question. For many years complaints have existed in Quebec, with respect to the administration of justice. The changes were not very frequent. The first instance was in 1777, the next in 1797, which was amended and improved five or ten years afterwards. About 1845 or 1846 there was a demand in our Province for what they called at the time *décentralisation judiciaire*,—judicial decentralization. A great clamor was raised, and both parties in the press and on the hustings demanded this measure. Public men did not at once obey the demands and comply with the request. The question was submitted to the people, it was discussed in Parliament and elsewhere, and the result was that in 1857 there was a unanimous demand in favor of the new system—in favor of decentralization—and Sir George

Cartier, complying with that universal feeling, introduced a Bill to give effect to it. I have before me the first speech on the subject, delivered by Sir George Cartier, that great statesman, who labored earnestly for his country's welfare. In that speech, which was delivered on 23rd April, 1857, he explains why the demand of the people ought to be satisfied, and he gave a historical sketch of the various preceding systems and concluded by showing the necessity of the new system. There was in the House at the time, Hon. Mr. Dorion, now Chief Justice, Mr. Papin and all the Liberals who were elected at the general election of 1854. All those gentlemen admitted that the principle of the Bill was correct; they did not obstruct the measure; on the contrary, they assisted in amending it so as to make it as perfect as possible. So that we have, from 1845 to 1857, a unanimous feeling demanding the new system of judiciary decentralization. Well, it was quite right. There for a long time existed three districts in the whole Province, which were really kingdoms in their extent. In 1857 they were increased to eighteen or nineteen. If the House would listen to the hon. member for West Durham (Mr. Blake) and accept the lessons of his lecture, the whole Quebec system would have to be surrendered. It is, however, too well known for the Province to go back on it. I do not presume to say anything more about its character, more than that of the system of Ontario or other Provinces. So long as justice is administered by human beings it will be full of imperfections. It is so in Quebec as in the other Provinces. Our Judges are not perfect; they are not models of virtue and activity not more than we are; but on the whole our system is nearly perfect. The measure introduced by Sir George Cartier was before the House many days. Mr. Drummond, Mr. Dorion, Mr. Papin and others, unanimously acknowledged the principle of the Bill, and did not oppose but sought to perfect it. Those hon. gentlemen moved some amendments in Committee of the Whole, and most of them were accepted by Sir George Cartier with a view to perfect the Bill. The hon. gentleman quoted many figures and extracts; but there are certain principles of legislation which cannot be governed by these details. It was something like a paper in Montreal, the other day, trying to prove that we ought not to accept the Canadian Pacific Railway scheme, because by taking one dollar bills and placing them side by side, they would, to make up the cost of this railway, go around the world. The hon. gentleman seems to me to have spoken in that way. It is not by citing a number of cases that the hon. gentleman will prove to the people of Quebec that they should give up their system which is demanded by the whole population of both political parties. In listening to the hon. member for West Durham, one would imagine that the Province of Quebec was most unfortunate in its judicial system. We heard him complaining bitterly that our Judges are already too numerous. Well, if we take the census of 1871 and compare the number of Judges, according to population, in Ontario and Quebec, we shall have some startling results. The Province of Ontario, which is smaller in extent than the Province of Quebec, has 61 Judges, while Quebec, with the two new ones, will have only 34. The whole cost of the judiciary of Ontario, in round numbers, is \$200,000, while the cost of the judiciary of Quebec, is \$153,000, a difference of \$46,000 or \$47,000; but if the increases in the salaries of the Ontario County Court Judges asked for are granted, this difference will be increased to \$66,000 or \$67,000. Yet the hon. gentleman says that we have already too many Judges, and that this Parliament ought not to pay the salaries of these two new Judges. Now, I want to point out some of the good results obtained from the system of *décentralization judiciaire*. It created new opportunities for good men, who became not only good lawyers, but good public men, and good Judges. It

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taught the rural districts to depend on themselves. We know that if we have so many able lawyers and eminent men, it is due to our system. We know that one district in the space of fifteen years furnished one Minister, two or three members of Parliament and five Judges, one or two of whom came to Montreal and were not inferior, certainly, to the Judges taken out of the Montreal Bar. This is an illustration of the great benefit which the Province of Quebec derives from that system which the hon. member for West Durham would like to see completely abolished. As I said in the beginning, I shall not contend that everything is perfect in our Province, that nothing in the present order of things should be disturbed. If the hon. member for West Durham could have made his speech in the Quebec Parliament, it would have been better. It is not within our Province to set up those grounds, nor to refuse to pay the Judges created by the Quebec Legislature. What the hon. member for West Durham said was already said by many members of the Montreal and Quebec Bar. In no country are the litigants, lawyers and Judges all satisfied. The Judges are often inclined to think that their salaries are too low. We often receive complaints that the Judges salaries are too low, and again that they do not work enough. It has become a proverb that a lawyer should be allowed twenty-four hours to curse his Judge. There is a class of people that will always complain of a judicial system, the class of litigants who lose their cases. When a man has lost his case after appealing it from an inferior court to higher courts, and finds he has to pay costs of several hundred dollars on a case of \$100, he feels inclined to curse the system, lawyers and Judges. As the hon. member for West Durham has moved no amendment to these resolutions, no doubt he acknowledges that the principle is right, that Provincial Legislatures have the right to create new Judges, and that it is our duty to provide for the payment of their salaries; so that the last part of the hon. gentleman's onslaught on our judiciary is only theoretical. He has not been very happy in the choice of his arguments. Take the Court of Queen's Bench. He quoted in great satisfaction the opinion of Mr Justice Ramsay. I had the honor to study under that Judge. He is a personal friend of mine, and a man of high culture and ability as a Judge, but that does not make him infallible. He may have committed a mistake, and his opinion in this instance has against it the decision of the Quebec Parliament, both Conservative and Liberal, in which are men of high attainments in the legal profession. This Parliament, both Rouge and Bleu, declared unanimously that the Province of Quebec required a twenty-seventh Judge of the Superior Court and the sixth Judge of the Court of Queen's Bench. Mr. Justice Ramsay argued that the Judges of the Court of Queen's Bench might have done more business by having longer and increased number of terms. That was tried, and what was the result? The Chief Justice held the Criminal Court in Montreal on the 24th September last. On the 28th October that term was over, and, on the 2nd November, he began sitting in the Court of Appeal and attended it regularly until the last day of November. He then went to Quebec and sat in the Court of Appeal there from the first to the ninth of December, after which he came to Montreal when he sat in the Court of Appeal from the 11th of December to the eve of Christmas. The result was that the Chief Justice's health became nearly broken up, and it was to avoid occurrences so disastrous that the Quebec Parliament determined to increase the number of Judges. Since that time Mr. Justice Ramsay has partially changed his opinion. The hon. member for West Durham did not perhaps read the Bill when he made his speech. That Bill did not increase the number of Judges of the Court of Appeal. The Court of Appeal would sit as formerly with the same quorum as before; so that there is

nothing changed. We have the Court of Queen's Bench sitting in appeal in civil cases and writs of error, and why is it done? Because it was impossible for the Court of Queen's Bench to hold criminal assizes in Quebec and Montreal, with eight, ten, or twelve terms of the Court of Appeal for civil cases. If we had not done so, we should have exposed the Judges to break down with excessive work. You will find nobody in Quebec, Montreal or the rural districts against that reading of the law. We desire a sixth Judge, who will be a criminal Judge to hold criminal assizes and let the other five members of the Court sit in appeal in civil cases. There would thus always be a sixth Judge of the Queen's Bench who would have the right to sit in the Court of Appeal; but the Court of Appeal would not be changed, there will always be a spare Judge to represent the others in the assizes, or the other Judges in the country when there were difficult cases. You see now how mistaken was the hon. member for West Durham in making so lengthy an attack on our judicial system and coming to such conclusions. If he had read our law very well and known our system as well as his own, he would have avoided that mistake. I speak from an experience of twenty-one years practice in the Courts of Quebec, and can say that our Superior Court Judges should not have been so denounced. He told us a long story about the action of Judge Mondelet when he was Minister of Justice. If I recollect well, the period was 1876 and 1877, when our late lamented friend the Judge conceived the idea that he could not conscientiously sit in courts created by the Dominion, or try Dominion cases, and he considered that the Election Law was of this nature. This hobby or aversion also extended to the Insolvent Law. This amounted to a choking off of justice, cases accumulated, and at meetings of the Bar great complaints were made. At the time the court business required all the activity of the six Judges. The late Judge was succeeded by Judge Rainville, who fell sick at one time, when complaints and representations were sent to Ottawa to have the six Judges always available. These facts form a strong illustration of the need of a seventh Judge in Montreal. If the hon. member for West Durham had practiced there like me he would have reached a different conclusion—if he knew, for instance, that some of the Judges have twenty, fifty or even eighty cases *en délibéré*, he would not only say that we required a seventh Judge, but, as Judge Terrance lately said, not one but two more Judges were needed. The Superior Court of Montreal had an enormous amount of work to dispose of, it sitting from the 1st of September to the 31st December, and from the 16th January to the 7th July each year. Our Circuit Courts sit daily as do our Superior Courts, in their different branches, including Review and enquête, practise and enquête and merits, so that our six Judges are entirely incapable of accomplishing the work as required.

#### MESSAGE FROM HIS EXCELLENCY.

Mr. POPE (Compton), delivered a Message from His Excellency.

Mr. SPEAKER read the Message as follows:—

"LORNE.

"The Governor General transmits to the House of Commons, copy of a minute of Council of 5th November, 1880, on the subject of assisted emigration from Ireland to Manitoba and the North-West, together with copy of the despatch from His Excellency the Governor General transmitting the same, and Lord Kimberly's answer acknowledging the receipt thereof.

"GOVERNMENT HOUSE,

"OTTAWA, 8th February, 1881."

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

#### AFTER RECESS.

Mr. MOUSSEAU. Since the House rose I have prepared some statistics bearing on the subject upon which I

was speaking, and I will read them to the House. The expenses of the Ontario Courts, including the Admiralty Court, is \$199,069, the expenses of those of Quebec \$153,291, or a difference in favor of the latter of \$45,848. The proposed scheme of increasing the salaries of the County Court Judges, will involve a cost of at least \$20,000. The proposed increase in the number of Judges in Quebec will involve a cost of about \$10,000, so we have a total of \$55,848 as the difference between the two Provinces in this respect; and I do not think it gives any reasonable ground of complaint. The hon. gentleman had only made his complaint with regard to the district of Montreal; but, on the other hand, an hon. member of this House has brought up a memorial from the counties of Chicoutimi and Saguenay, complaining that all the advantages in connection with the administration of justice go to the great centres like Montreal, to the detriment of the rural districts. The memorial states:

"Je vous dirai seulement: voyez là ce grand centre de colonisation qui y est en activité; voyez cette population de 30,000 âmes: voyez ce commerce très considérable; voyez les autorités religieuses qui y ont mis le siège d'un évêché. Avec ces faits, il n'y a pas un homme d'expérience qui ne puisse dire qu'il n'y a pas là des affaires suffisantes pour y occuper un juge qui y résiderait. Ne serait-ce pas un honneur pour un juge d'administrer la justice dans un district aussi important et de tant d'avenir, et de rivaliser de zèle avec notre digne évêque pour y remplir ses devoirs, et contribuer au bien être et à l'avancement de ce district?"

Un juge n'est pas utile seulement pour présider les termes de la cour; il a encore une foule de fonctions administratives et judiciaires très importantes à exercer en dehors des termes,—par exemple: les pouvoirs que lui donne la loi contre les détenteurs illégaux des terres dans les townships,—pour juger les requêtes en cassation de brefs de *capias*, ou de *saïsie-arrest simple*,—pour donner la possession provisoire des objets saisis revendiqués,—pour le séquestre, les poursuites entre locataires et locataires,—pour la contestation de listes électorales,—pour les brefs de prérogative,—pour l'*habeas corpus* au civil et au criminel,—pour les compulsoirs,—pour les assemblées de parents,—pour la vente des biens des mineurs,—pour l'apposition et la levée des scellés,—pour régler les difficultés lors de la confection des inventaires, pour les enquêtes,—et pour mille autres sujets.

Voici une population de 30,000 âmes dans le district de Chicoutimi, qui est privée des secours d'un juge dans tous ces cas.

Avec un juge résident, le district de Chicoutimi aurait des termes au moins tous les deux mois; il y aurait de plus des circuits dans deux endroits du lac Saint-Jean. Je remarquerai que les plus beaux établissements du lac Saint-Jean se trouvent à 80 milles de Chicoutimi, ce dernier endroit est à 90 milles de la Malbaie, et à 150 milles de Québec. La justice y sera distribuée promptement, sans précipitation, et sagement: elle sera à la portée de tous. Les frais seront de beaucoup moins considérables. Les colons auront une plus grande protection; plusieurs d'entre eux, ne pouvant prendre possession de leurs lots à moins d'un long et ruineux procès, ont, à ma connaissance, quitté le Saguenay, et sont probablement maintenant aux Etats-Unis. Ces lots sont encore en bois debout, et appartiennent à des spéculateurs.

Je n'ai aucun doute que l'honorable procureur-général de Québec rendra justice à Chicoutimi, et, par là, secondera les efforts de M. le seigneur l'évêque de Chicoutimi pour l'avancement de ce district.

NOTE.—Le district de Montréal a une population de 210,803 âmes. Le gouvernement lui donne sept juges, soit un par 30,114 âmes.

Le district de Québec, dont la population est de 159,397 âmes, possède 4 juges, soit un juge par 39,849 âmes.

Le district de Rimouski, avec une population de 27,418 âmes—plusieurs mille âmes de moins qu'à Chicoutimi—possède un juge.

Le district de Gaspé, ayant une population de 33,652 âmes, a l'honneur d'avoir 2 juges, soit un juge par 16,826 âmes.

Les districts de Kamouraska, d'Arthabaska, de Bedford, de Beauharnois et de Saint-Hyacinthe, dont la population n'est pas beaucoup plus considérable que celle de Chicoutimi, ont chacun un juge.

Et Chicoutimi, avec une population de 30,000 âmes, qui dans cinq ans sera peut-être de 40,000 âmes, isolé, à 150 milles de Québec pour les endroits les plus près, et à 250 milles de Québec pour les établissements du lac Saint-Jean, n'a pas de juge!"

We must consider this matter from the highest point of view, and we must admit that, in order to remedy the evil complained of, it is not necessary to change a system which has operated so beneficially. I notice that the hon. member for West Durham endeavored to persuade the House that by that increase of the number of judges, and by the increase of the salaries of other judges, our conduct was clashing with our promises on the hustings, and with the blame we cast on hon. gentlemen opposite when they were in power. But I wish to inform him that our party is not a party of promises, and that it is

a party which, when in power, is not forgetful of the promises it makes in Opposition. We never intended to decrease the salaries of the Judges or of anybody else. We are of the opinion of the electors expressed on the 17th of September, 1878, that the hon. gentlemen on the other side of the House, when they occupied the Government Benches, failed entirely in operating those economies and retrenchments which they had been promising to effect during the twenty-five or thirty years of their Opposition life. These resolutions are forced upon us by the requirements of the public interest in the Province of Quebec. That Province wants more Judges, and because she wants them well paid, other resolutions will have to be submitted with regard to the salaries of County Judges. The leader of the Opposition seems to have forgotten that there is a law passed by the Quebec Legislature to meet the very difficulty pointed out by that hon. gentleman, and which provided that assistance should be given by the country Judges to those sitting in Montreal. In 1877-78 the Quebec Legislature passed a law providing that when the judicial business of Quebec, Montreal, or any other centre, required additional judicial assistance it should be rendered by other Judges sitting in the country districts. I believe that that has operated very well, and has already remedied some of the inconveniences complained of. At one time I have seen as many as five Judges who came from the country districts to assist their brethren in Montreal. It was in carrying out that scheme that the Judge of Beauharnois was made a Judge of the district of Terrebonne. The hon. gentleman quoted this instance with much glee, supposing that the change had the effect of depriving Montreal of the judicial assistance which was available in the person of that hon. Judge. The fact is that before going into the district of Terrebonne, Mr. Justice Belanger spent a great deal of his time in rendering help to the Montreal Judges. The hon. gentleman has drawn very incorrect inferences from the superannuation of the Judges. This provision was made at a time when there were many young Judges, specially in Ontario. In Ontario there are sixty-one Judges, while in Quebec there is only one-half that number, thirty-three or thirty-four. In ten or fifteen years hence, when the young Judges of to-day will have grown old and become fatigued, they will be superannuated, and then the balance will be against Quebec. The hon. member for West Durham made a number of quotations which do not affect the case at issue. The number of litigants and of cases in the Province of Quebec at any period does not explain their increase or their decrease. The state of business, whether prosperous or depressed, generally has a controlling influence in deciding the extent of judicial business. For instance, during the existence of the Insolvency Law a great number of cases arose under the operation, but they gave but little trouble to the Judges, and took but little time in proportion to their number. That class of cases has now disappeared, but it may be followed by other cases of a civil nature, or arising under the old French law, which give vastly more occupation to the Judges. It may not be out of place for me, as many of the members of this House are unacquainted with the system of judiciary in the Province of Quebec, to give some account of the functions of our Judges. Formerly we had what were called Circuit Court Judges, but in 1857 these were made Judges of the Superior Court. Now, Circuit Court cases are adjudicated upon and disposed of by the Superior Court Judges. In Montreal there are six in number, and the Circuit Court cases they have to dispose of amount in some years to 12,000 or 15,000, and even to 18,000. That Court sits every juridical day during the month, and every month in the year except during the legal holidays from the 9th of July until the 31st of August. The business in this Court is so great that Judges from the rural districts have to come to Montreal to assist Montreal Judges. Among these

Mr. MOUSSEAU.

I may mention Judges Laframboise (who spends most of his time in Montreal), Caron, Plamondon, Sicotte, Bélanger, and sometimes Chagnon from St. Johns. In fact, there are ten or twelve Judges that come from rural districts monthly to help the Montreal Judges. Then there are the Superior Court cases, which average from 4,000 to 6,000, according to circumstances, arising from commercial conditions and other circumstances. The extent and importance of the business which come under their jurisdiction is something startling. First, there are debts which vary according to the thousands of circumstances which give rise to them. Then they have the probate of wills, inventories, tutorships, and sales of minor estates which sometimes take place in Chambers and give them a great deal of trouble.

Mr. CASGRAIN. Not to the Judges.

Mr. MOUSSEAU. Yes; to the Judges in Montreal. Those cases require much time and study. In those cases it is a question usually of selling large estates of minors, under the pretence of paying off debts, or of improving the estates. Municipal matters also come before the Judges and often occupy much time. They have also before them motions to quash writs of *habeas corpus*. We also go before them with contestations in respect to voters lists. School matters in various forms come before them. They have the election cases, which are not only troublesome, but lengthy, sometimes throwing the Judges into a state of exhaustion, which compels them to give up work and take two or three months rest. There have been also special cases, in Montreal especially, which have occupied much time. There have also been cases in connection with the expropriation of property for street purposes, by the Montreal municipal authorities. Then there were cases between private parties and the railway companies, some of which were so hotly contested they occupied not months, but sometimes years. Those were some of the important matters which were dealt with by the Judges of Montreal. An opinion prevailed in some quarters, that in the increase of the number of the Judges of Queen's Bench, the six Judges would have to preside in the Court of Appeal; but, as I said before recess, the sixth Judge of Queen's Bench would be to help the other five; but the Court of Appeal, which took the most important cases, would stand as before. I have read very carefully the letter written by Mr. Justice Torrance to the Minister of Justice, a short time ago. He suggests some changes; he said an increase would be necessary, but not an increase of one Judge, but of two, three or four, if we cannot secure the assistance of the country judges. All parties agree on this point, which is the important one, that the number of Judges sitting in Montreal should be increased. It had been suggested that Judges should be brought in from the rural districts to sit in Montreal. The hon. member for West Durham (Mr. Blake) has thought himself sufficiently wise to give advice, and to tell the Quebec Bar, Government and people what they should do. One Government has, however, anticipated him, and have declared there is no effective remedy except that of appointing two additional Judges, one to the Superior Court and the other to the Court of Appeal. The hon. leader of the Opposition has sought to discuss the question from a Quebec standpoint; but he may calm his patriotic zeal with the reflection that other people more conversant with the object are already at work; that the Judges are endeavoring to find a remedy, and the Government of Quebec have already applied a remedy. With all these persons there is combined sufficient talent to bring about a proper remedy. Some other parties hold that the number of Judges is sufficient, but that they should be compelled to reside in Montreal—that 18 or 20 should reside in that city—and that they should be sent out every three or four months into the rural districts. That remedy, I am afraid, is entirely impossible, because the

judicial decentralization system has produced splendid results. The Province likes it, and there is not a single district which would be willing to lose its Judge. Not only is this the case, but because the Judge in Chicoutimi and Saguenay absented himself, the hon. member for the county was so much pressed by the electorate that he was compelled to memorialize the Quebec Government in order to compel that Judge to reside in his district. The same feeling will be found to exist in all the rural districts which have the advantage of resident Judges. Some gentlemen have suggested the establishment of County Courts and the appointment of County Court Judges, as in Ontario. To a certain extent we have those already. In each district, which is usually composed of three counties, the Judge of the Superior Court, who lives in the centre of the district, sits as a Judge of the Court of Queen's Bench, in criminal matters, and holds the Superior Court every three or four months. The hon. gentleman advanced as another reason against the increase of Judges, that the number of cases for review have decreased in October, November and December. If my hon. friend knew more of legal affairs in Montreal, he would know that the cases did not decrease, but the Judges increased the days of their sittings; instead of sitting two or three days as they used to do, they sat five, six, or seven days a month, and they held an additional term in order to clear off the list. I think the hon. gentleman was unfair when he said the less work a Judge had to do, the less he would do. So far as I know, our Judges are not disposed to be idle. They all go to Montreal or Quebec to consult their brother Judges; they have their libraries, and they do a great deal of work. Some of them employ their leisure in writing books and valuable works, such as Hons. J. J. Loranger and Taschereau. My hon. friend said that in England the Judges never sit twice consecutively at the same assize. A debate which arose in this House last Session on this subject, brought out the suggestion that we should not choose a Judge for a district in which he had practised as a lawyer, or where he had social or business relations. We have suffered to some extent from that anomaly, but that does not prove that a Judge may not reside in one place for many years without injury to the cause of justice. The hon. gentleman did not say precisely in so many words, but he implied that the number of appeals coming from our courts, especially from Montreal, indicated a want of confidence in our Judges. Well, I have statistics showing that the number of appeals, compared with those from other Provinces, are not disproportionate to the number of cases; and we cannot therefore infer that our judiciary are not in possession of public confidence. In some cases there is a want of confidence which comes from the passage of an Act, of which, I think, all parties are guilty. I refer to the Act by which we divested ourselves of our jurisdiction over our own members and gave it to the regular Judges. When the similar Bill was introduced into the Imperial Parliament, the late Chief Justice of England wrote to Mr. Gladstone, who was then Prime Minister, deprecating the passage of the Bill on two grounds: first, because Parliament had no right to divest itself of one of the most sacred of its privileges, the power of declaring the disqualification of its own members; and, secondly, because the carrying out of such a law would be most detrimental to the cause of justice. You will never find the losing party satisfied. In election cases which ever party loses the case will accuse the Judge of being biased by his political views. In other civil cases the losing party will always have some ground for complaint. Then would commence the great evil of loss of prestige, respect and esteem, which should always surround the Judges; then would be the great evil, for a good judiciary is the best bulwark of our liberties. Take away their prestige and respect and authority will disappear, and dissolution of society will set in.

I think I will not be gainsaid by anybody, when I say that if, in some parts of the country, confidence in Judges is not so great as it ought to be, it is specially due to those election cases. Now, there are statistics and comparisons which have been forgotten by the hon. member for West Durham. If, instead of studying the *Official Gazette*, he had taken bank returns or even the Montreal Directory, he would have seen the explanation, through the immense capital invested in Montreal, of the great number of cases in appeal, which he used as an argument against our judiciary. There is no city in the Dominion in which so large a business is transacted and so much capital invested as in Montreal. The hon. member for West Durham, full of friendship for our poor Province, which he declared to be so unfortunate in its judiciary, said that in our Courts there was much slowness. I would be quite surprised that in any place, with the same number of Judges and the same number of cases, there was less slowness. I know of another Court, created by the hon. gentlemen opposite, in which there is greater delay in giving decisions. I will finish by trying to give a lesson of modesty to the hon. member for West Durham. I shall say nothing bad against the judiciary of Ontario, though I know, perhaps, more about it than he does about the Quebec judiciary. He would have done better to have delegated his powers to the French-Canadian leader of the Province of Quebec. I think the hon. member was somewhat jealous. It appears whenever there is a new leader of the Grits he must have some kind of platform. The first one came with a standard of public morality; this leader waves the standard of judicial perfection. That perfection is, I think, impossible. I would prefer the old way of being as perfect as we can. I do not want to be understood to say, speaking as a Federal Minister, that we have no right, under any circumstances whatever, to question the advisability of a law passed by a Province to create a Judge. It is my personal opinion that when such a law as that is passed by a Local Parliament in which both parties agree, after full debate, on the necessity of the creation of the new Judge, we would assume a dangerous authority by refusing such a demand. In this case what the hon. member said is a corroboration of the wisdom of the Quebec Parliament in its action. All are agreed that there ought to be more Judges in Montreal. I am sure, if any remedy is required, the Quebec Parliament will take the means to find it out. I beg, therefore, to give my support to the resolution.

Mr. GIROUARD (Jacques Cartier). I have listened with much pleasure to the brilliant address which has been delivered by the hon. leader of the Opposition, and I as a member of the Province of Quebec, and as a member of the Montreal Bar, think the Province of Quebec owes its thanks to the hon. gentleman for the accurate manner in which he has presented his case; a manner, I believe, which is worthy of the admiration of the most severe member of the Quebec Bar. We owe him thanks also for having brought to the discussion a broad, liberal spirit. In my humble estimation he has shown himself not only an able lawyer but also a true lover of justice. This is not a party question, and I was glad to see the hon. gentleman treat it not from a party point of view. So, in 1857, when this question of the decentralization of the administration of justice in Quebec, came before the Canadian Parliament, we saw both political parties united in forming what was considered at the time as the best measure to promote the administration of justice in that Province, and to-day we are examining, not the question of a few thousand dollars for the salary of a sixth or seventh Judge in Montreal, but a more important question than that—the whole system of judicial affairs as it has existed for some twenty years. It is best that this question should be considered only in the light of the interests of our Province. I

believe I am not exaggerating in stating that in it there is in my Province a great deal of dissatisfaction over the administration of justice, which does not, however, go so far up as the *personnel* of our Judges. Most of them, no doubt, are men of great learning and hard workers, although both political parties have been too often controlled by political exigencies in the selection of judges to make room for unfortunate, perhaps useless, politicians. It is, perhaps, also due to that cause that we find so many Judges on the pension list. Another cause may be that our Judges work too hard for too small salaries—I am referring to the districts of Quebec and Montreal where living is very expensive; and, of course, being entitled to a pension after ten years service of two-thirds of their salary, they asked for it not as a matter of discretion, but of right, preferring to retire to private life to killing themselves on the Bench, and even to practice as *avocat consultant*. I was very glad to hear the member for West Durham eulogizing our civil code. As a student of the Roman law, as a chancery lawyer, he had occasion during his professional career to admire the great principles of that law which is the basis of our civil code, of which our Province is justly proud. But I must say, as a member of the Bar of Quebec, I am not as great an admirer of our code of civil procedure. It was based no doubt on an ordinance great for its time, that of 1667, and also upon the commentaries of an old commentator on that ordinance, Pigeau, but those rules of procedure, correct no doubt 200 years ago in a community not commercial, cannot so well apply to a community like ours. I subscribe also to the remarks of the member for West Durham, that we can with great advantage borrow, from Ontario and other Provinces, measures which would be an improvement to our rules of procedure. In examining this question we can only make suggestions. Our jurisdiction in this Parliament is very limited under the British North America Act. We have only the power to appoint Judges and provide for their salary; the organization and maintenance of the Provincial Courts are left altogether to the Provincial Legislature, so that we have to act but as an executive body to carry out their wishes; we are almost in the position of a banker against whom a depositor draws for funds; we must honor their cheques. But at the same time it cannot be denied that if we must grant the salaries of judges, we have the right to offer suggestions without unduly interfering with their functions, and the more that they would come from a very disinterested body. The whole difficulty is not, in my opinion, the nomination of a seventh Judge, who must be appointed at any rate, as he is needed in the district of Montreal; but before two or three years the same need will be felt again, as the system is bad. The decentralization of justice, which was much needed in 1857, does not now exist to the same extent. In 1857 the Province of Quebec was traversed only by one railway, from the western frontier to the Eastern Townships, the Grand Trunk, when the means of connection with the large centres was very difficult to the rear districts. People residing some thirty, forty, or fifty miles from Montreal had to take two days to reach that city and then decentralization was necessary. But to-day the whole Province is covered with railways. St. Lin, for instance, which belongs to the district of Terrebonne, has more easy communication with Montreal than with the *chef lieu*. We might say the same of Joliette, and many other districts. The question is not to abolish the decentralization of justice, but to modify and reform it. In 1857 we had seven judicial districts, Montreal, Quebec, Sherbrooke, Three Rivers, Ottawa, Kamouraska, and Gaspé. Cases were then decided by three Judges; appeals were less numerous than to-day considering the amount of population, and for the simple reason that the decision by those three Judges satisfied the public. In 1857 the whole Province

Mr. GIROUARD (Jacques Cartier).

was divided into twenty judicial districts. A Superior Court composed of about eighteen or twenty Judges was created. It was to be presided over by one Judge. Montmagny, Beauce and Chicoutimi were not provided with Judges. Since 1870 a Judge was added to the number at Montreal, making a quorum of five, and in 1871 another was added, and another in 1872, when the Superior Court Judges were increased to twenty-six. Appeals had to be granted in consequence of those decisions being rendered by one Judge only, and the Court of Review was established to consider his decisions. We have also a Court of Appeal composed of five Judges. The leader of the Opposition made a slight mistake in mentioning the jurisdiction of the stipendiary magistracy. It has been abolished, there being now, perhaps, only four such magistrates left, who serve in very remote districts. With regard to the effects of this decentralization, I think it is important to look at the figures, for I do not agree with the hon. member for Bagot (Mr. Mousseau) that figures mean nothing; on the contrary, I think they mean a great deal, and I believe in them. I shall read a few statistics from a valuable manual compiled by a very careful lawyer in Montreal, Mr. Pagnuelo, which go to show that many of these judicial districts are not now needed if they ever were needed. I shall not give those cases which go by default, because, as hon. gentlemen know, under our code these cases can be settled by the Prothonotary or the Clerk of the Court, and I shall also confine myself to Superior Court cases. In Arthabaska, in 1877, there were thirty-eight cases; in 1877, twenty-nine, in 1879, forty-eight. In Beauce, forty-eight in 1877, twenty-six in 1878, and twelve in 1879; in Beauharnois, twelve in 1877, twenty-seven in 1878, and sixteen in 1879. In Bedford, in 1877, forty-eight; in 1878, forty-seven, and in 1879, seventy. In Chicoutimi, in 1877, there were no contested cases; in 1878, one, and in 1879, fifteen.

Mr. CIMON said the report of the prothonotary for Chicoutimi had not been received and consequently the figures did not appear.

Mr. GIROUARD. Perhaps the hon. gentleman himself will give us the figures. They cannot be very large at all events, seeing there was only one case in 1878. In Gaspé, which is composed of two counties and has two Judges, there was in 1877 only one case; in 1878, one, and in 1879, five. In Bonaventure there was not a single case either in 1877, 1878, or 1879. In Iberville, in 1877, there was twenty-one cases; in 1879, twenty-four; and in 1879, thirty-four. In Joliette there were five in 1877; eight in 1878; and sixteen in 1879. In Kamouraska twenty-nine in 1877; forty-seven in 1878, and twenty-nine in 1879. In Rimouski nineteen in 1877; six in 1878, and nineteen in 1879. In Montmagny there were eleven in 1877; twenty-six in 1870, and thirty-three in 1879. In Montreal there were 952 in 1877; 890 in 1878, and 860 in 1879. The hon. leader of the Opposition said there had been a decrease in business in Montreal; this is true. This fact was the consequence of the repeal of the Insolvent Acts, and, secondly, of the increased prosperity of the country—the result of the National Policy. But this decrease consists only of collection cases which were contested only for delay, and do not in the slightest degree affect the burden of the work of the Judges. If we look at the figures for the Court of Revision we will find that it is a very important element in the judicial business of that district. In 1877 there were 166 cases; in 1878, 156, and in 1879, 149. It is quite clear from these figures that several of those Judges who reside in the country districts might be brought back to Montreal and Quebec to help their *contreres* in those cities without doing any injury to the rural districts. The consequence of having only one Judge to preside in trials has been that an enormous number of appeals have been taken. From statistics published in Mr. Pagnuelo's manual I find that the per

centage of appeals to the total number of cases in the Superior Court is about 19. The learned gentleman gives the percentage of appeals in other countries, and his statements on that point are very instructive. In Geneva the percentage of appeals was 7 from 1817 to 1835; and in 1865 the percentage was 10. In France, from 1841 to 1845, the percentage was 15; in 1846, 14 per cent.; in 1847 13; in 1849 12 per cent., and from 1866 to 1870, 11 per cent. The reason they are so low in that country is simply that decisions are not rendered by one Judge but by two or three. In the Dutch States the percentage of appeals is 7½; in England, 8. My hon. friend from West Durham said that perhaps the large number of appeals in our Province was due to the character of the French race, and he mentioned to the House the dictum of a French monarch who said the French were so fond of war that in days of peace they went to law with one another. This reproach has been answered by Mr. Pagnuelo, who says that statistics show that in the Province of Quebec the English population is as fond of litigation as the French. It is a fact that in proportion to their numbers more law suits are taken by the English population than by the French. Several remedies have been suggested for the crowded state of the judicial business in the district of Montreal. Mr. Pagnuelo, who has given a great deal of attention to the subject, has suggested that a law should be passed by the Local Legislature providing that a certain number of Judges should live in Montreal, to act there, and at the same time to go into the country districts when required. I will not undertake to suggest the proper remedy, but it is evident that the present system is bad, and the consequence is the justice is badly administered and gives general dissatisfaction to the people of that Province. Something must be done. The whole system must be remodelled, so as to render necessary the decisions of our Courts by three Judges, instead of one. The hon. leader of the Opposition has quoted from papers which have been laid upon the Table of this House from time to time, containing suggestions made by the Judges and Bar of Montreal. In 1877 a demand was made for a Judge in Insolvency, and it was meant that he should be in addition to those already appointed. It was then represented by Mr. Justice Johnson, Mr. Justice Mackay, Mr. Justice Torrance, Mr. Justice A. Dorion, and Mr. Justice Papineau :

"That the exigencies of the administration of justice in the district of Montreal urgently require that the Judges in charge of that district should have additional aid in the performance of their duties, and further representing that such aid would be materially supplied by the appointment of a special Judge in Insolvency for the district of Montreal."

At that time the Judges felt that the appointment of an additional Judge was necessary to the efficient conduct of the business of the Insolvency Court. But notwithstanding the repeal of the Insolvency Law, the business of the Montreal Courts is so enormous that the administration of justice really suffers for the want of additional Judges. For instance, let us take the Chamber business which is a very important element in the administration of justice. That business in Montreal is done from half-past ten o'clock to eleven, and the Judge who sits in Chambers is obliged to take possession of a Court which is known as the Third Division, sitting from eleven to four o'clock. Between those hours it is frequently impossible for members of the Bar to have access to the Judge in Chambers. Sometimes they must wait with their clients for hours to the serious inconvenience, and sometimes the serious loss of the litigants. We all know that these matters in Chamber require to be conducted with celerity, and it is important that the Judge should be accessible at all business hours. For that reason alone it is evident that a nomination of a seventh Judge is necessary. It is true that Judges come from the country districts to the assistance of the Montreal Judges, but suppose one of them, through illness or any other uncontrollable cause, is

not able to attend, what is the consequence? Parties are there with their witnesses but cannot be heard for want of a Judge. Cases of that kind happen too often. One word about the Court of Queen's Bench. The hon. member for West Durham has quoted Mr. Justice Ramsay, who is of opinion that four Judges will be sufficient to do the business of that Court, leaving the fifth Judge to attend to the criminal business. As a member of the Montreal Bar, I am personally aware that lawyers and litigants object to submit their cases to four Judges. They do not like to run the risk of the inconvenience and expense of a rehearing. They want the deliberations of the full Court, being confident that their cases will be better examined and decided. I know that is the public feeling in Montreal, and in the Court of Appeals the lawyers generally refuse to submit their cases to four Judges. The nomination therefore of a sixth Judge is a necessity. The Hon. Justice Ramsay suggests another mode of clearing the roll of the Court of Appeals, which is always crowded. He suggests that it should sit from day to day until the business of the Court is exhausted. This plan has been adopted, and the Court of Appeals sat from the 1st of November last until about the 23rd, and then adjourned to Quebec to hold the term there. On the 11th of December it came back to Montreal and sat until Christmas. That Court is now sitting and has been for the last fifteen days, and, strange to say, the roll seems to be just as crowded to-day as it was the first day they sat in November. After this month it will be impossible for that Court to sit again till next May, because one Judge of that Court is bound to sit in the Criminal Court from the 24th of March; and unless we provide for the salary of a seventh Judge, and permit that Court to sit from day to day until the business is exhausted, it will be impossible to do justice to the claimants and to the rights of the population of Montreal. I hope every member from Quebec will express his views upon this subject. I believe I am expressing the general opinion in that Province that there is a desire not only for a better administration of justice but also to decrease the expenditure of the Province, that the administration of justice should be modified and remodelled. The reason why we have not been able hitherto to do it is owing to the weakness of the succeeding Local Governments in Quebec. They cannot pass a Bill of that kind without exciting local opposition from country members. But here we have no such political complications. A Government with a majority of eighty at its back can well afford a free discussion on this important subject, especially as the hon. leader of the Opposition has placed the question on such a broad and liberal basis, and has removed from the region of party politics. I say that every member from the Province of Quebec should impress upon the public of that Province the importance of having their system of judicial procedure remodelled. We should bring back the country Judges, and set them at work in Montreal or other large centres where there is so much work to be done, which would not only be for the good of the people, but also for their own good.

Mr. CIMON. Mr. Speaker, I do not know if I should address this House, for I feel some hesitation in doing so, after what has fallen from the lips of the hon. member for Jacques Cartier (Mr. Girouard). I am but a country lawyer, practising in a district wherein, as has been said by the hon. member for Jacques Cartier, there has been but a single case of litigation in 1877, and none in the year following. I must therefore be but a half-starved, hungry and thirsty lawyer. Another reason causes me to tremble, and it is, that the hon. member for West Durham (Mr. Blake), who has spoken this afternoon, has drawn so sad a picture of an educated man residing in the country, that really I feel somewhat ashamed at finding myself this evening in a House composed of so many intelligent men. The hon. member for West Durham has said: "Why appoint a Judge in the country? Why withdraw him from the city? There is

not an educated man in the country! His intellectual powers will wane! His knowledge of things will diminish! He will fast become an incompetent Judge, intellectually and otherwise. Therefore it is better that Judges should not be allowed to reside in the country; and the expression used by the hon. member in this connection was, that in the country, a man's intelligence got rusty, and that in this case the man who lost his intelligence was a Judge. Verily do I regret the conduct of some Judges in the rural districts of Lower Canada, especially in the country below Quebec, which conduct justifies what the hon. member has said. I regret that the Judges appointed by the Federal Government, and who are compelled by a local enactment to reside in their districts—I regret, I say, that they should take the liberty of leaving the country and residing in town; they thus give cause to the hon. member for Durham's assertions. But because the Judges do not perform their duties, because they act contrary to law, because these Judges neglect the administration of justice in the places where they are bound to, it does not follow that such administration should cease to become necessary. More remains to be said. What is the conduct of those Judges who should remain in their districts? They take up their residence in the district of Montreal. With the system which they have adopted of preventing the transaction of business in the rural districts, there is nothing to be surprised at if that business should be so small; especially when one sees a Judge, who lives in the district of Montreal, and who should be residing 500 miles further off, in the district of Gaspé, on learning that proceedings have been instituted in his district, hastens to send money to the plaintiff in order to avoid going down to his district. I maintain that with such a system there is no cause for surprise at the cases in rural districts being but few, nor is there anything to be surprised at that one should hear the hon. member from Jacques Cartier exclaim that the Judges should be made to return to town from the country. But, Mr. Speaker, was the hon. member for West Durham thinking of his friend, who sits so closely to him, when he spoke as he did this afternoon in this House? Was he thinking of the hon. member for Quebec East (Mr. Laurier), who resides in the county of Arthabaska, who practises in that county, and who has become the French-Canadian leader of the Liberal party in this House? Was he thinking also of one who was for a long time the leader of the Liberal party, and whom Providence has just been pleased to call from amidst us? Was he thinking of the Hon. Mr. Letellier, who was looked upon by the Liberal party as a man of great intellectual powers, which fact I do not dispute, and who was a highly-educated man? And where did that man cultivate his mind? Whence did he derive his talents? Why, in the country, in the district of Kamouraska. Many others are there who have distinguished themselves at the bar, in politics, in all the other professions and positions of life in the country; men who were in the first rank, and whence did they come? Why, from the country. I remember, Mr. Speaker, a name illustrious in Lower Canada, a name that is recalled to the mind with reverence, and before which all bow, that of Sir Etienne Pascal Taché, who was the leader of all Canada for a number of years. Whence had he derived all his knowledge, and where did he develop that high intelligence so characteristic of him? In the county of Montmagny. I might quote a number of other instances. I might even name a number of lawyers practising in country districts. I might name the lawyers of the Eastern Townships and of the district of St. Hyacinthe who sit in this House, and I would ask the hon. member for Jacques Cartier if they are deficient in intelligence. Why then, Mr. Speaker, deprive the country districts of a Judge? By depriving them of a Judge, you deprive them of the members of the Bar, of a prothonotary, of a number of educated men, who, on the

Mr. CLON.

administration of justice being centralized, will leave the country because they will not be able to make a living there. One must not imagine that the country populations are void of intellect and education, and that it is a disgrace to live amongst them. The decentralization of justice has been considered a great advantage, because it has encouraged many to have higher aspirations, and has given them the chance of making their mark. A number of young men have gone into country districts, where they have succeeded in building up a practice, and in developing their intelligence; a thing they could never have done in a crowded centre, and where they would have been lost among the large number of members of their profession. Where did these young men develop their intelligence? In the country districts, whilst pleading in the presence of the educated and intelligent Judges appointed to administer justice in those districts. I pretend that judicial decentralization has encouraged education in the country, has developed our country districts, and has aided in more rapidly spreading immigration into Lower Canada, for it is an encouragement to educated persons to go and settle in the country; and when there are ten, fifteen or twenty educated persons in a district, they necessarily dwell among the people, and accustom them to politics; and thus it is, Mr. Speaker, that, to-day, the population of Lower Canada is educated, and that it is acquainted with everything that goes on in Canada, and in the world. But, Mr. Speaker, I fail to see why it is that the hon. member for Durham has risen this afternoon to oppose the resolutions proposed by the Government. I do not see why it is that he has seized this opportunity of lecturing the Province of Quebec and its Legislature; and I fail to see why the hon. member for Jacques Cartier, who should be jealous of the rights of his Province and of its independence, opposes the Federal Government, and joins issue with the hon. member for Durham on this occasion. The latter has said: "It is we who pay the Judges, therefore we have the right of giving advice to the Quebec Legislature; we have the right to say: 'We are going to suspend the salaries of these Judges until such times as the Local Legislature shall coincide with our views.'" And how much farther has he gone from that point? Even to speaking of the Civil Procedure, which does not in the least concern the Federal Government, but which belongs to the Province of Quebec; even to give the hon. members of the Local Legislature a lecture on Procedure; even to say to them: "You must amend the Code of Procedure; you must expunge the exceptions to the form, dilatory exceptions, and many other things that exist in your Rules of Procedure; and, until this is done, we are going to suspend the salaries of your Judges." With such a system, with such logic, Local Legislatures lose their independence; they become the mere instruments of the Federal Government; for at any time it may say: "We are going to stop your supplies, because you are doing what does not please us." I am, therefore, pained to see the hon. member for Jacques Cartier, who should be jealous of the liberty of his Province—for we, members of the Province of Quebec, should be more jealous of the liberty of our Province than the hon. members of the other Provinces—I am pained, I repeat, to see that the hon. member for Jacques Cartier should have embraced the views of the hon. member for West Durham, and I say that both have displayed a want of logic in the profound speeches delivered by them in this House. The hon. member for Jacques Cartier wishes to bring all the Judges to town. The reason is easily understood. The hon. gentleman resides in Montreal, where he has his practice, and naturally he would gladly see business increase in the city of Montreal. The hon. member for Jacques Cartier would like to see, besides the two or three thousand cases which come before the Superior Court every year, all those also that are taken up in the rural

districts; it would increase his practice. There is assuredly nothing to be astonished at that the lawyers of the city of Montreal should be in favor of judicial centralization. I will thank, in a special manner, the hon. President of the Privy Council, who is a Montreal lawyer, for having treated this subject from a broader point of view than a sectional one, for having done justice to the country districts, and for not having shown the egotism displayed by his *confrères* whose practice is in cities. We must consider that there was another reason for this judicial decentralization, and it is that when it was brought about, it was in order to bring justice within the reach of those requiring it. The Province of Quebec is one of great extent, and the cities of Montreal and Quebec cannot pretend to constitute the whole Province. There is, for instance, the district of Chicoutimi, which is at least 200 miles from Quebec; we have no railways to communicate with the city of Quebec, which we can only reach when navigation is open. Well, Sir, at Chicoutimi there is at present a population of 30,000 or 40,000 souls; much activity reigns there, and there are many cases, yet there is not any Judge. When it is necessary to institute proceedings, when the authority of a Judge is required, one is obliged to go to Quebec, 200 miles distant, and to go thither it takes three days, and three days to return. I say, therefore, that it is unjust that the residents of the district of Chicoutimi, requiring the authority of a Judge, should have to travel to Quebec to ask for it. It has been said that there are not many cases in the country districts, and the hon. member for Jacques Cartier has quoted statistics. The hon. member found it an easy task to quote statistics, but he did not take the trouble of looking up the official statistics, of turning over the leaves of the *Official Gazette* in the Library. He contented himself with using a tabulated statement, taken from a book published by a member of the Montreal Bar. I say that those statistics, in so far as the district of Chicoutimi is concerned, are totally incorrect and incomplete. I cannot give the exact figure of the number of cases in the district of Chicoutimi, because they are not at hand; but I reside in that district, I am cognizant of what takes place there, and I will give the number of proceedings instituted in the Court of Chicoutimi. In the city of Chicoutimi there are generally 600 or 700 Circuit Court cases taken up per annum. There is a Circuit Court at d'Hébertville, 18 miles from Chicoutimi, where about 200 cases are taken up per annum. Here there are about 900 Circuit Court cases in the county of Chicoutimi alone. In the Superior Court at Chicoutimi there are generally about 35 to 45 cases a year. Thereto must be added a like number of Circuit Court cases in appeal, and which in Montreal come within the jurisdiction of the Superior Court. Moreover, there are all the incidental proceedings which occur at Chicoutimi as well as elsewhere, and which are considerable. There are likewise, as well as elsewhere, divided opinions as to the validity of municipal elections; often, as well as elsewhere, there are divided opinions as to the validity of electoral lists. Well, it is impossible for us to control municipal elections, or to control electoral lists, for in order to do that we should have to go to a Judge residing in Quebec. The Judge visits us three times a year, for it is but a visit that he pays us; he calls upon us at the end of May, in October and in January; each time he remains at most ten days, or in other words, there are but thirty days in the whole year, when we have the opportunity of having recourse to the authority of a Judge. The hon. member for Jacques Cartier has said that the Montreal Judges are far more occupied, that they have much business in chambers, that there are a thousand proceedings to be carried on in chambers. "If," says he, "an application to quash a *capias* has to be made it is necessary to make application to a Judge in chambers, and the Judges are busy from morning to night; therefore another Judge is

required in Montreal." I would ask the hon. member for Jacques Cartier how he can expect that we should have chamber business in Chicoutimi, when there is not any Judge? I do not blame the Judge; the law has only appointed three terms for him; the proclamation, which fixes three terms only for the district of Chicoutimi, dates as far back as 1857, and the Judge holds these terms regularly. Justice is well administered by him; his honesty and integrity are above suspicion; he is a man who does honor to his position; he is a man whom we like and whom we would like to see among us. We hold him in such high esteem that we would like to have him amongst us from year's end to year's end. I will give a case in point. Let us suppose that three months before the term, three months consequently before a Judge is to be had, unscrupulous litigants—and there are such men—put their heads together and say: "The Judge cannot be with us for another three months; let us take out a *capias* against our debtor and put him in prison. Sooner than remain therein three months he will give up his goods to us; he will give us his horse, his cow, and his other goods; he will prefer to surrender them to remaining in prison." In this way do unscrupulous creditors collect their debts. Were a Judge present, and were an application made to him, the debtor would get justice. But there is more than that. There is that class of plaintiffs who have doubtful debts. What is their conduct? Well, two or three months before the term, knowing that it is impossible for the debtor to obtain justice, they will take out a *saisie-arret* before judgment; they will seize all his goods, they will even seize the goods that are exempt from seizure according to law, such as his horse and his cow; they will take his chattels and will appoint a guardian who is their friend, and the unfortunate debtor will give up to them his horse and his other goods to get back his cow, which is the only support of his children. And thus does one say that there is no business in those districts. I am going to mention a number of instances where the presence of a Judge is required. A Judge, Mr. Speaker, is required not only to preside at terms, but he has, moreover, to fulfil a number of administrative and judicial duties out of term. I will mention, for instance, the power conferred on him by law in the case of those unlawfully holding lands in the township; in the case of judgments on applications to quash writs of *capias* or of *saisie-arret simple*; in that of giving provisional possession of chattels seized and revendedicated, in that of sequestration, in that of suits between landlord and tenant, in that of contested election lists, in that of writs of prerogative, in that of civil and criminal cases of *habeas corpus*, in that of compulsories, in that of family councils, in that of the sale of minors' effects, in that of the application and removal of seals, in that of settling disputes in the making out of inventories, in that of enquêtes, and in that of a thousand other things. And here is a population of from 30,000 to 40,000 souls, in the district of Chicoutimi, which is deprived of the assistance of a Judge in all those cases. And, after all that, people will say with the hon. member for Jacques Cartier that it is necessary to recall the Judges to town. More remains to be said. I will now take up the contested cases, and will show the enormous injustice arising from the present state of things in the district of Chicoutimi, and all because judicial decentralization is not complete. We have a term three times a year: six days of Circuit Court, six days of Superior Court. Generally speaking, it is impossible for us to proceed with the preliminary investigation in cases contested in the Superior Court otherwise than before a Judge. What follows? Why, that a case is entered for *enquête* and for examination on its merits, the Judge arrives, the term commences, it is the first case on the list, a large number of witnesses are called, the *enquête* is commenced in the morning and is continued all day and the next and so on for the next six days.

During the whole of the term this case has stopped all the others because it was the first on the list, and that the parties were going on with the *enquête*. I will appeal to my hon. *confrères* of the Bar. They know how long an *enquête* lasts, when there is a number of witnesses; they know that six, or even twelve, days do not represent much time, for they know that an *enquête* sometimes takes twenty-four and even thirty days before it is closed. Here is, therefore, a single case, which may have taken up the time of the Court for two years, and during all that time, all contested cases are standing over; at each term witnesses have to be called, so that the case shall not go by default, and the term is closed without there having been any possibility of going on with the proceedings. That is the kind of justice we have at Chicoutimi. Once more, this is not the fault of the Judge; he does his duty; it is the fault of the system. There should be a Judge at Chicoutimi, and a Judge at La Beauce; they are now the only two districts that do not possess a resident Judge. I will now, Mr. Speaker, apologize to the House for having taken the liberty of addressing it for so long a time. I beg its pardon, I, from the country, a poorly-educated, not very intelligent man, whose intelligence has grown somewhat rusty after but nine years of practice, for having dared to address an assembly composed of men as intelligent and as educated as those who constitute the present House.

Mr. CASGRAIN. Before this motion is passed, I should like to make a few remarks. It may seem presumptuous on my part, after the speech that has just been delivered by the hon. member for West Durham, to make these remarks, but I am encouraged after hearing the speech of the hon. President of the Council—

Mr. MOUSSEAU. The Archbishop of Saragossa.

Mr. CASGRAIN. Yes, I think the Archbishop of Saragossa is beginning to spin out his homilies, and it is time Gil Blas should be behind him to make him cut them shorter. To come back to the question before us, I say that it simply amounts to this: Is it urgent to appoint a Judge in Montreal on the request that has been made us by the Quebec Legislature? I am given to understand that the lists have for some time past been more than full, but I see to-day that these lists are far less so, especially since we sent to Montreal Judge Caron, who has despatched business with a promptitude unknown until then, and I think we could dispense with appointing another Judge. There is no doubt but that the judicial system of the Province of Quebec, *i.e.*, the form of procedure in vogue is excessively long, that it is the cause of delays detrimental to the interests of the public; under it there are cases pending before the tribunals for years and years, and I could mention a number of such. I do not wish to take up the time of the House in naming any particular cases, but I assert as a fact that there is to-day, spread throughout the whole Province of Quebec, a desire, a wish, a feeling that it is necessary to adopt a Code of Procedure entirely different from our present one, and I think we should have had it a long time ago, had we but taken pains to give satisfaction to the wants and wishes of the population. I must tell the House that about two years ago a new system, likely to abridge the length and shorten the delays of the present Procedure was prepared, but the Attorney-General of the day, Mr. David Ross, went out of office, and was thus unable to accomplish the task he had set himself. I hear that to day the Attorney-General for the Province of Quebec has expressed his intention of substituting a system for this one, and it is even said that he would wish to adopt for the Province of Quebec the Code of Procedure in use in the State of New York. That would be making a grand move in the right direction. For a number of years we have been floundering about in our old system of Procedure, which goes back two hundred years—to that of Pigeau. In these days

Mr. CIMON,

we do not live as we did two hundred years ago; now that we have such rapid means of transit, we live in a year what we formerly lived in twelve. We wish to expedite business considerably; we want to go into a court of justice as into a bank and say: "There is so much coming to me and I want it." It is all very well to laugh about it, but in the Province of Quebec we have fallen even behind the old French Procedure. In those days, one said to one's debtor: "Pay me what thou owest," and one could get out one's execution in a moment. Nowadays, in the case of a debt for a determined amount, one has to ask the Clerk of the Court for a summons enjoining upon the party to appear at such a date; then there are eight days to file a plea, another eight days to appear, two days to inscribe for *enquête*, and when, after all this a judgment has been obtained, one has to wait another fifteen days before taking out an execution. As a consequence, persons having claims dare not press them before the tribunals, but prefer making large sacrifices. Such a system is defective. In holding Circuits, the facility there is of approaching the places where they are held should be taken into consideration. The Clerk of the Court of Louisiana explained to me once the manner adopted in that State for following circuits and administering justice; it was by following the line of railways. There is another great disadvantage in allowing Judges to reside in the country. It is said, with some show of reason; that the Judges get "rusty" in the country; no one will deny it. There is a very good reason for this, and it is that Judges and lawyers cannot in the country enjoy the advantages which they derive from libraries to be found in cities. What a lawyer residing in the country earns for three, four, or even ten years will not suffice to build up a library. Young men living in the country have not the means of buying books, and this is an important point if one does not wish to get absolutely "rusty." In order to give another idea of the judicial system such as it exists to-day in the Province of Quebec, I desire to call attention to the number of jurisdictions within the Province of Quebec, and I would ask the hon. President of the Council if he can point out to me the number of jurisdictions in the Province of Quebec; meanwhile, in order to edify him and the Bar, I will proceed to enumerate those tribunals whose decisions are final and executory. There is, in the first place, the Court of Commissioners, Justices of the Peace for rural wants, Stipendiary Magistrates in certain localities, Circuit, Superior, Revision, Appeal and Supreme Courts, and the Privy Council. There are the various stages of appeal in these courts; so that one may, so to speak, start on a round from the Circuit Court and reach the Privy Council, or, in other words, pass through seven or eight different courts. Is that the judicial system of a civilized country? In criminal jurisdiction, there are the Quarter Sessions, the Criminal Court, presided over by a Judge of the Superior Court, the Court of Queen's Bench in ordinary session, the Court of Queen's Bench sitting in Error, the Police Court, the Recorder's Court, in Quebec the Admiralty Court, the Trinity Board in Quebec for the harbor trade; Commissioners who tax property for the erection of churches and the priests' houses, and whose judgments are executory; official Arbitrators for the Dominion; one has also an appeal from the whole of the Arbitrators, an Election Court, a Court of Exchequer, and, lastly, you are going to have a Railway Commission. Well, this makes twenty-three jurisdictions for the Province of Quebec. Is this not an enormous abuse? One would imagine that three or four jurisdictions would suffice for any civilized country. If I make these remarks, it is to show that it is of the most absolute and immediate necessity that some reform should be introduced in the system of the procedure of the Province of Quebec, and to point out that because a system is bad, one ought not to make the Dominion bear a burden easily avoided if one would but reform existing abuses. The President of the

Council was just saying that as the Province of Ontario spends \$200,000, the Province of Quebec may well spend \$150,000. I do not think that is a suitable way of reasoning. It is as if man and wife, common as to property, should each spend their share; the consequence would be that the whole of their property would soon disappear. If one acts on that principle, it is certain that it will not take long to exhaust the public Treasury. I do not think that such an argument will meet with the approval either of the House or of the country. The system of judicial decentralization, which it was sought to bring about in 1857, might, up to certain point, have had its *raison d'être*. There were, certainly, at that time a few abuses, but matters were pushed too far; more districts were created than were necessary; the population has not increased in the same ratio as the districts created, and the consequence is that, from a judicial point of view, the districts have not done anything. I think, therefore, that it is necessary to remodel the districts, to enlarge those which are easy of access by rail, and to give those which are deprived of facilities of communication, such as the Magdalen Islands and Labrador, a special jurisdiction. I do not think if we seek to bury educated and able Judges in the country, at a salary of \$3,200 per annum, that competent men will accept the position. Another abuse to which I would draw the attention of this House—and in doing so my words may possibly reach the members of the Quebec Government—is, that the judicial system should be immediately so amended as to ensure the prompt distribution of moneys by justice. In the Province of Quebec, there is the Registrar's certificate created, it would seem, purposely to prevent people from being paid; it is one of the greatest abuses that have come to my knowledge, in the system that I am complaining about to-day. It is not astonishing that this abuse should exist, for the system in vogue is in direct violation of the elementary principles of law; for the Registrar's certificate represents the rights of those who will not look after their own interests. As matters exist to-day, one cannot obtain this distribution through the tribunals, until one has done away with claims that have no real existence, or which delay those persons interested in the case.

Mr. LANDRY. Mr. Speaker, there is no doubt but that one of the greatest faults committed by the Liberal party was the desperate struggle they made for the abolition of dual representation. If dual representation existed to-day, the Province of Quebec would greatly profit thereby, and the voice, whose melodious notes we have heard this evening, would not be obliged to invoke the echoes, for it would itself resound powerful and persuasive in the legislative halls of the Province of Quebec. If here, in Ottawa, the hon. member for L'Islet cannot, in spite of the trouble he gives himself, palm himself off as the leader of his party, at least, in the city of Quebec, he would shine. Who has not read the words of the poet:

"Tel brille au second rang qui s'éclipse au premier."

After having heard the hon. member for L'Islet, one is at a loss to know whether the complaint he has just made against the administration of justice in the Province of Quebec is of recent date or not. No, Sir, he has taken us two hundred years back, probably to the days when his ancestors came to the country, when the Province of Quebec was first open to colonization. In those days, it would seem, the administration of justice gave rise to the inconveniences which the hon. member has just mentioned. But if these inconveniences are so numerous, why did not the party to which the hon. gentleman belongs, and which was some time in power in Quebec and here in Ottawa—why did not this party remedy the evil? No, Sir; in those days, instead of diminishing the number of

Judges, more were appointed. In those days the hon. member for L'Islet was in the House, and when his party appointed Judges in different districts—at Quebec and at Arthabaska—he clapped his hands. And by his position in this House, and by the support that he gave the Government of the day, he approved unreservedly what he now condemns. The hon. member hopes that echo will carry his voice into the Province of Quebec. But it will only be the echo of an echo, for he is only himself the echo of the remarks made by the leader of the Opposition; and willingly he reports, after his leader, that our country Judges should naturally grow rusty by their contact with the population among which they live. And why? "Because," says he, "there are no libraries in the rural districts." Oh! what a fine discovery! Sir, without wishing to at all play upon words, I would say that if these gentlemen grow rusty when they go to live in the country, it is probably because they are iron-shod with regard to law, (*bien ferrés sur le droit*), for rust has no hold except on iron. That is the only way to answer the artless pretensions of the hon. member for L'Islet, who surely never found in a library the weak reasoning he brings forward in support of his thesis. And what does he next say? After this very grave charge brought against our country Judges, the hon. member attacks our whole judicial system. For the requirements of the case, he raises with great pain a special structure which he calls "jurisdiction;" then he comes and leads us to the entrance of this new building, and invites us to visit this enchanted palace which he drags along after him. He begins by the first flat: there we find the Commissioners Courts, from there he goes up to the Justices of the Peace, from there he ascends to the District Magistrates, to the Circuit Court, to the Supreme Court, and from story to story, he takes us up to the twenty-third story which is the crowning part of his structure, and this story, which is a splendid cupola, he calls the Privy Council, I think, but he means the Supreme Court. Is he not wrong, Sir, to show us the Supreme Court on this occasion? When we heard this afternoon the hon. leader of the Opposition, figures in hand, tell us that in the Province of Quebec, in certain districts, there were not two law suits, and that for this reason these districts should be wiped out, in order to bring back the administration of justice to a more central point, then I naturally ask, what are we to do with the Supreme Court? The statistics that we have since its establishment, and the statistics that you asked for yourself, Mr. Speaker, when the Liberal party were in power, prove, beyond the possibility of a doubt, that this Court has no longer its *raison d'être*, at least if the reasoning of the hon. leader of the Opposition is worth anything, and if, as usual, we can draw the conclusion from the premises laid down. Now, Sir, I have only one word to add. I ask, and I ask with you, Sir, what remedy the hon. member wishes to apply to the existing evils? He has suggested none. Does he declare himself in favor of the motion now in your hands? Not at all. Only, he says that he will allow it to pass provided that reforms are introduced into the judicial system of the Province of Quebec. There is, however, one consolation for the hon. member and that is, he says that the Judgeships in the Province of Quebec are occupied by first-class men, and a moment after he says that first class men cannot be found with the present salaries. Let the hon. member not try to deny an assertion that the whole House has heard, that with \$3,200 first-class men could not be found. At all events, Sir, I understand his fears and his tremblings; he deserves to be soon appointed. With these remarks, Sir, I hope that, in spite of what the hon. member for L'Islet has said, the motion now in your hands will meet with the approval of this House, and that the Province of Quebec will have, as she has a right to have, the new Judge she asks for.

Motion agreed to.

Resolutions read first and second time, considered in Committee, and ordered to be reported.

House resumed; and (at 10:35 o'clock, p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 9th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### SUSPENSION OF RULES.

Mr. BROOKS moved that the 21st Rule be suspended in relation to a Bill to amend the Acts incorporating the Montreal, Portland and Boston Railway Company.

Motion agreed to.

### PRIVATE BILLS.

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

Bill (No. 53). to amend the Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. Brooks.)

Bill (No. 54) to amend the Act incorporating the Accident Insurance Company of Canada, and to authorize a change of the name of the said Company to that of the Accident Insurance Company of America.—(Mr. Gault.)

### ADJOURNMENT.

Sir CHARLES TUPPER moved that when the House rises at six o'clock, it stands adjourned to three o'clock to-morrow.

Motion agreed to.

### GRAIN SHIPMENTS FROM HALIFAX.

Mr. BORDEN enquired, What is the rate per quarter, received by the Intercolonial Railway as its share of the freight on the grain loaded at Halifax by the barque *Chili*, and whether such rate is merely experimental, or has been adopted as a general rate for such business?

Sir CHARLES TUPPER. The rate received by the Intercolonial Railway as its share of freight is 30 cents per quarter; that is the general rate adopted for through grain traffic to Europe. The cargo loaded by the *Chili* was a fraction of a cent below that figure. I would like to correct the answer I made on a previous day to a question put by the hon. gentleman in which he asked with respect to two cargoes. One cargo has been shipped and negotiations are in progress for further cargoes—not for another experimental cargo, but for further cargoes.

### CAMPS OF MILITARY INSTRUCTION.

Mr. THOMPSON enquired, Whether it is the intention of the Government to establish camps of military instruction this year; if so, when, where, and of what strength; also the number of days?

Mr. CARON. In answer to the hon. member, I beg to state that the matter upon which his question is based is now under the consideration of the Government.

### THE WELLAND CANAL.

Mr. RYKERT enquired, Whether the attention of the Government has been drawn to the fact that no provision

Mr. LANDRY.

has been made for the turning of vessels of one hundred feet keel and upwards, in the Welland Canal; and if so, whether it is the intention of the Government to remedy this serious defect before the final completion of the canal?

Sir CHARLES TUPPER. The principal business on this canal, for a number of years at least, must be through trade; therefore there will be no mills, or factories, or other places where vessels will be at all likely to unload or receive cargo on the new line, which is about one mile and a half from the old canal, except at Port Dalhousie and near the town of Thorold. The local business between St. Catharines and Lake Ontario will, in all probability, be done by the old route for years; a all events, that seems to be the opinion of the corporation and those gentlemen who have made application for the second lock of the old line to be enlarged. It has, therefore, not been considered necessary to incur the expense of forming a basin of the capacity for the largest class of vessels to turn round, inasmuch as the works for that purpose can be done at any future time with equal advantage as when forming the canal. The new channel is nowhere less than 100 feet wide at bottom, and in short reaches where there is a curve in the line the width is greater, so that small vessels can be turned round anywhere. If a period of ten or twelve years is likely to elapse before the local trade would derive any benefit from the outlay necessary to form a basin for large vessels to turn round, the interest on the amount would, by that time, be nearly if not wholly sufficient to do the work. Besides, the inconvenience of floating or other unwieldy bridges on the towing-path for that period will be avoided.

Mr. RYKERT. That is an argument, not an answer to my question.

Sir CHARLES TUPPER. I have not presented an argument, but simply given the hon. member an answer, and the reasons for the answer. I have said there are no such places on the canal.

### REPORTED OUTBREAK OF CATTLE DISEASE IN MERIGONISH.

Mr. McISAAC enquired, Whether Professor McEachran, of Montreal, has concluded his investigation of the causes and character of the cattle disease which prevailed last summer at Merigonish and adjoining districts in Nova Scotia; and if so, whether his report will be laid on the Table and published?

Sir CHARLES TUPPER. In the absence of the Minister of Agriculture, I beg to say that an investigation has been made, and I am glad to say it has been ascertained there is no pleuro-pneumonia or lung disease among the cattle of that district.

### THE HALIFAX COMMISSION.

Mr. ROBERTSON (Shelburne), in moving for copies of all correspondence between His Excellency and Professor Henry Y. Hind, in reference to alleged inaccurate statistics submitted to the Halifax Commission, appointed under the Washington Treaty, said: This matter has attracted considerable attention in Canada and the United States during the past year. The gentleman who preferred the charges against that award of the Halifax Commission was an important witness before that body, and at the close of its session was employed by the representatives of both the English and American Governments to prepare an index of the proceedings of that Court. In June, 1878, he addressed a letter to the Department of Marine and Fisheries, stating that he had discovered glaring inaccuracies in the statistics submitted to the Commission. The Marine and Fisheries Department took no notice of the letter at the time. He afterwards addressed letters to members of that Commission and to the British and American Governments on the subject. I think it is

the bounden duty of our Government to give a direct and official denial of the charges preferred by Professor Hind. I have paid some little attention to this question because my constituents and the people of my Province are deeply interested in it. As I take it, there were four points to be settled before the Halifax Commission, namely: the value of the American market to the Canadian fishermen; the value of the Canadian market to American fishermen; the value of the American fisheries conceded to Canadian fishermen, and the value of the Canadian fisheries to American fishermen. The first two points, the value to each of the market of the other, was settled by the fishery statistics contained in the navigation returns of each country. I am informed that statistics prepared by both Governments very nearly agreed; but to satisfy myself on that point, I have compared the Trade and Navigation Returns of the United States with those of Canada for some years past, and I find that so far as the quantity of fish imported into the United States is concerned, both reports very nearly agree. It is true the values differ, but that may be easily accounted for, the values in the United States being made up from the market prices at the time the fish were received there, while in the Canadian returns they are made up from the invoices of shipments. There may be some other slight differences easily accounted for, such as losses in transshipment of fish, or through the manner in which fish were cured, rendering them unsaleable on reaching the American market, but on the whole the reports agree very closely. The point as to the value of the Canadian fisheries to the American fishermen was settled wholly on the testimony of important witnesses, summoned by both Governments; the Trade and Navigation Returns had nothing to do with it. The conclusion I have arrived at is that Professor Hind has no ground for the wholesale charges he has preferred against the department and the Government officials. There is one point, however, to which I desire to attract the attention of the Government, not in a spirit of fault-finding, but simply in the interests of the fisheries of the country, and that is the manner in which our fishery statistics are annually collected. I believe the returns submitted in our Fisheries Report this year, do not give the exact annual value of the products of our fisheries. The fault cannot be laid at the door of the department in Ottawa, for they have to make their return from the statistics furnished by the fisheries officers all over the country. But one reason for the mistakes committed is, that in many instances the officials are not appointed for their special fitness or qualification for the work, but rather because of their political leanings.

Mr. POPE (Queen's). There is no objection to furnishing the correspondence asked for. It has created a great deal of excitement both in England and the United States, and I was going to say in Canada also. The charges made by Professor Hind are so outrageous in themselves that I think the correspondence will convict him of some improper motive rather than a desire for the correction of errors in these returns. Doubtless, in making up returns, errors may have occurred; but no one would believe that the member for Westmoreland (Sir Albert J. Smith) could be guilty of the conduct charged by Professor Hind. The effect of the alterations spoken of might be altogether against the interests of Canada. Therefore, Canadian officers could not be expected to have worked against those interests, and in favor of the United States. In the pamphlet published by Professor Hind, he states:

"In a printed letter addressed to Sir Alexander Galt, bearing date, Windsor, Nova Scotia, November 10th, 1879, in reply to a letter addressed by Sir Alexander Galt to myself, I have shown that this table, alleged to represent the produce of Canadian fisheries from 1869 to 1877, is a gross forgery; that it only alters the quantities, the prices and the denominations of the items in the Fishery Reports, from which it is falsely alleged

to be taken, but it presents in the aggregate a shamefully concocted contrivance framed to deceive. I have shown that, among many other falsifications, it cuts off more than 1,000,000 pounds of haddock from the catch of 1869, annihilates 100,000 barrels of mackerel in 1871, adds 100,000 barrels of herrings in 1874; introduces eels at \$1.78 per pound, alters quantities, denominations and prices, and is 'cooked' from 1869 to 1873."

Now, the charge made by Professor Hind is that those accounts have been cooked and falsified for the purpose of benefitting Canada—that the whole thing is based upon fraud. He says the returns of one year show an error to the extent of 100,000 barrels of mackerel. I believe when the Commission was sitting at Halifax, a table was made up in the Department of Marine and Fisheries—no record I can find gives much information on the subject—but I believe, before the case was argued, the incorrectness of this table was discovered, and the whole conclusion was based on the return of statistics prepared by the proper officers. I do not believe the incorrect return affected the case in the slightest degree, but if it did, it was to the injury of Canada. Canada, however, is not complaining. I am happy to say the United States Government is not taking the matter up, and the British Government does not think it worth while to notice it. In the first place, if fraud had been designed, it would have been necessary to increase the exports from this country to the United States, because the comparison made relates to the value of our fisheries to the Americans. If you lessen the quantity of fish exported from this country to the United States, you injure our case. If, on the other hand, you increase the exports from the United States to Canada, you lessen our claim, and benefit the case of the United States. The reduction of our mackerel exports would, therefore, injure the Canadian case. One of the charges is that furs and skins have been added to the quantity of fishery exports from the United States to Canada, as of "furs and skins of marine animals." Well, anything added to increase the exports from that country to Canada operates against us. The effect of the whole of Hind's argument is that errors have been committed by us, which, on examination, would really injure us. He says:

"In the Customs Returns for 1874, in the items 'furs, skins and tails, undressed,'—a terrestrial item—amounting to \$110,258, is changed to 'furs and skins of marine animals,' and introduced as such into the alleged average imports of fish and fish products from the United States."

Well, the effect of that action on our part would have been injurious to our argument. Among the first of his charges we have statements that go to increase the exports from the United States to this country, and which would benefit the case of the Republic. He says:

"In framing the averages of exports of Canada to the United States during the duty period, 1867 to 1873, the compiler lessened the official record of exports from Prince Edward Island to the United States, and increased the official record of exports to other countries. In some cases this alteration of records of Government was made to a very large extent."

He goes on:

"The effects of these various artifices in framing the averages of imports from the United States during different fiscal periods, is to lessen enormously the apparent value of Canadian importations of fish and fish products from the United States during the duty period, and to increase enormously the apparent imports of fish and fish products from the United States during the free period, or since the working of the Washington Treaty."

He says further:

"First.—During the duty period, from 1867 to 1873, the items, oysters, (excepting the year 1873) whale oil, lobsters, preserved fish, furs and skins of marine animals, etc., are omitted—but in framing the averages from 1874 to 1877, all these items are introduced.

"Second.—In the Customs' Returns for 1874, the item 'furs, skins and tails, undressed'—a terrestrial item—amounting to \$110,258, is changed to 'furs and skins of marine animals,' and introduced as such into the alleged average imports of fish and fish products from the United States.

"Third.—The prices and quantities of imports of fish and products of fish from the United States, as stated in the Customs' Returns from 1874 to 1877, are in many instances absurdly high and enormously large, suggesting false entries.

"Fourth.—The imports of Manitoba and British Columbia are included in the imports of the year 1877, but in no other year; 'these Provinces not being included in the Treaty of Washington.'

"Fifth.—While hale oil is rejected during the duty period, it is introduced in the free period, and 'crude oil,'—a terrestrial product—is introduced as a marine item during the duty period, but rejected during the free period."

He says further on :

"By the introduction of manifestly absurd entries into the Customs Returns, the fish exports to foreign countries are largely increased. The object of this artifice appears to be antagonistic to the object of the preceding alterations, but it is susceptible of satisfactory explanations.

"The compiler has largely increased the fish exports of Prince Edward Island to other countries, and lessened the official record, showing exports to the United States

"The effect of the artifices and frauds is to increase the apparent exports of fish and fish products to other countries, in comparison with the exports to the United States."

Now it is not my intention to discuss this matter at all fully at the present moment, as the whole of this correspondence was conducted, and the whole of the business transacted, during the time when the hon. member for Westmoreland (Sir Albert J. Smith) was at the head of the department. The matter may or may not come up between the two Governments; I do not think it will, but, in the meantime, I do not think it necessary to enter into a lengthy discussion on the subject. Looking at Professor Hind's outrageous charges against the officials of that time, it seems to me that his own words are sufficient to condemn him and to make it apparent that he is not actuated by kindly motives, nor in view of the best interests of this country. The member for Westmoreland could give the House much more information on this subject than I can. His services at the time the Commission was sitting were recognized by Her Majesty, and he received a great deal of credit for the able manner in which he conducted the investigation of the Commission, and I am sure that everything in connection with the matter will be fresh upon his memory. There is nothing in the department which would enable me to throw any light upon the matter. I believe when the charges are sifted they will be found to be entirely without foundation; but, nevertheless, it is necessary that we should be careful in any statements we may make on the subject.

Sir ALBERT J. SMITH. Having been charged with the general management and conduct of the Fishery Commission which sat at Halifax, it seems fit that I should make some observations with reference to the charges made, not only against me, but against almost every person connected with the Commission. My predecessor, and several other departments of the Government, fall under the whip of the Professor. The charges when divested of a great deal of verbiage amount to this: that the Imperial Government and the Government of the Dominion, through their agents and officers at Halifax, falsified statistical returns and reports, fabricated testimony and used false evidence at the Commission in order to secure an award. Now these are grave and serious charges, and if true should cover the perpetrator with infamy and disgrace. But, Sir, the charges are not true; there is no foundation for them whatever. What the motive of Professor Hind may be I cannot say. He seems very desirous of obtaining notoriety, and in that he has certainly succeeded. It would seem, also, that he is desirous of entangling the two countries in difficulties, but I think in that he will utterly fail. So far, at all events, he appears to have made very little progress. Professor Hind was a witness at Halifax, and I am quite prepared to say that he gave valuable and useful testimony on behalf of the British Government. After the Commission was closed, it was suggested that we should have an analytical digest of the whole matter, and Professor Hind was jointly employed by the two Governments to prepare an index—that was his business and nothing more. It seems, however, that in the preparation of this index he discovered that there were

Mr. POPE (Queen's),

some inaccuracies and discrepancies in the returns and statistics, not only of this country, but of the United States. Now, it would have been fitting for him, being employed by both Governments, if he discovered errors or discrepancies which, in his judgment, had influenced the deliberations of the tribunal, to have submitted the facts to both Governments; and it would then have been proper for those Governments to have acted upon them or not. And having done that, I think he would have done all that he ought to do. But, instead of doing that, we find that he has been pursuing this thing with a pertinacity which is really a wonder. He went to England at his own expense, and spent several weeks there in negotiations with the Foreign Office, but I believe he received very little encouragement, and came home a disgusted man. Since he returned he has been writing letters against, and persecuting I might say, everybody connected with the Commission. Now, if Professor Hind had any valid objection in this, I think he would have adopted the course I have suggested; but so far as I have seen he has never suggested a solution of the difficulties which he says exist; he does not suggest whether the award should be refunded to the United States—in fact, he has apparently no other object than to persecute those who have had to do with the Commission and to endeavor to get the two countries into difficulties. Now, the persons who, on behalf of the United States, had a knowledge of this subject, are Mr. Foster,—who was the accredited agent and representative of the United States—and he had associated with him Mr. Trescott and Mr. Dana, two very distinguished lawyers of that country. Now, I have been waiting with some interest, and not without some anxiety, to see whether Judge Foster would speak on this subject; but up to the present hour, so far as I have been able to see, he and his two associates have remained silent. It would, therefore, seem to me to be a fair and reasonable inference from their silence that they considered there was no foundation for these charges in fact. That seems to me to be the fair and reasonable conclusion from the silence of those gentlemen who knew all about the matter, and who, I have no doubt, were communicated with by Professor Hind. I am satisfied the matters he refers to had no influence whatever on the deliberations of the Commission. That is quite clear, because I am quite sure that if there was any reasonable ground to find fault with the way the business was conducted the Commissioners would have taken cognizance of it. The case on the part of the British Government was prepared by four lawyers, assisted by Mr. Forbes, Mr. Whiteher, and myself. This case required a great deal of care and deliberation. That portion of the case which refers to the statistics had reference to the reports made from time to time to our own Government, and we made frequent allusions to the returns, statistics, and reports of the United States. As provided for the treaty of Washington, these exhibits were produced before the Commission, and were laid upon the table where they were open to examination and criticism, and the American gentlemen found no fault. There was no keeping back of papers, no concealment of the truth, no suppression of evidence. Everything was free, open and straightforward, to the entire satisfaction of the American gentlemen who conducted the case on behalf of the United States. Now, it seems to me that if there was anything concealed, as alleged, the American Government would have taken action, because I have no doubt that Professor Hind has communicated his information to that Government. I am glad to hear the Minister of Marine and Fisheries state that the American Government had taken no action in this matter. One or two members of Congress have made inflammatory speeches on the subject, but as I understood before, and as I am glad to know now, the American Government have not considered this matter of sufficient gravity to take action upon it. I

am not going into the details of this matter. There may have been discrepancies and inaccuracies, but I am quite sure they had no influence upon the deliberations of the Commission or the amount of the award. I may say that those proceedings were conducted in the most friendly manner throughout. The most friendly relations existed until the end. Professor Hind has communicated with Mr. Delfosse and Sir A. T. Galt, and he has published their answers to him, and they say distinctly that the subject referred to by him had no influence whatever upon the decision of the case. He has also communicated with Mr. Kellogg, the other Commissioner, who, however, is silent on the subject, as well as the American agent. Under all these circumstances it is extremely doubtful whether this matter is deserving of parliamentary attention at all. To show the way in which the business was conducted, and to show that the American gentlemen were well satisfied with it, I will just refer to a quotation from the closing speech of Mr. Dana, a gentleman well known in the United States and in this country. He says:

"We have been fortunate, gentlemen of the Commission, that no misfortune, no serious accident, in the long period of three months, while so many gentlemen have been together, has fallen upon us. The shadow of death has not crossed our path, nor that of any of ours at a distance, nor even has sickness visited us in any perilous manner. We have been sustained all the while by the extreme hospitality and kindness of the people of this city, who have done everything to make our stay here as agreeable as possible, and to breathe away any feeling we might have had at the beginning, lest there should be some antagonism which would be felt beyond the legitimate contests of the profession. The kindest feeling and harmony prevails among us all."

Mr. Thompson, who is now unfortunately no more, in his closing remarks, said:

"What shall I say to my brethren of the United States? To their uniform courtesy, tact and kindly feeling we chiefly owe it that this protracted inquiry has almost reached its termination without unpleasant difference or dissension of any kind."

This shows the entire satisfaction of the American gentlemen with the way the business was conducted on our part. Now I may say that this case was not decided materially by reports and statistics, but by oral testimony and by sworn affidavits consented to by all parties, and at the suggestion of the United States that this mode should be adopted. During that long and protracted inquiry of nearly four months we examined 83 witnesses and read 319 affidavits; the United States examined 78 witnesses and read 280 affidavits. This oral testimony and these written affidavits covered the whole ground of controversy, and I have no hesitation in saying that these returns and statistics that Professor Hind speaks of had no influence whatever on the decision. Both Sir A. T. Galt and Mr. Delfosse have stated that the deliberations were influenced by the oral testimony and the written affidavits that were produced before the Court. If that be the case what becomes of Professor Hind's charges? They are worthless, they are scarcely worth a consideration in my judgment. But while I say that, I am also prepared that inasmuch as this matter has received the consideration of a large portion of the press of the United States, and has attracted considerable attention in England, as I understand, from some of the public officers who are somewhat anxious about this matter, I may say that if I thought the American Government entertain an opinion that this Government or its officers or agents were capable of acting as Mr. Hind says they acted, I would a thousand times rather that the whole amount of this award should be paid back than that they should entertain any opinion of that kind. I repeat that if the American Government believed that we were capable of falsifying returns, of fabricating evidence, of using false testimony with a view of overreaching the Government of the United States in this controversy, I would much prefer that the whole amount should be given back. I will venture to suggest that if this Government and the Imperial Government have any

idea that the American Government believe there is a reasonable foundation for the accusation of Professor Hind, an inquiry should be instituted, and particularly if the American Government desires it. If this Government believes that such is the opinion the United States, I will suggest that they themselves propose that an inquiry should be held upon these charges. As for myself, I have great pleasure in saying that I am ready at anytime, and at all times, to meet an inquiry. In saying this I am sure I speak the sentiments of my colleagues in the late Government, and of Mr. Ford and Mr. Whitcher, and the other gentlemen who took an active part in the proceedings. I believe that my predecessor and the members of the then Government, would also accept the suggestion that if the American Government desire it, a full and strict investigation should be made into this matter. I am not going to say anything more. I feel that it is due to the American Government, that if they believe such a statement, that a wrong has been done them, we should give them every satisfaction, and should take every means to vindicate the honor of our own country. I will only say, in conclusion, that I desire to declare and affirm in my place in Parliament, that the charges and accusations made by Professor Hind are absolutely and entirely baseless, and that the case on both sides was conducted in a manner becoming to the dignity and honor of both countries.

Mr. MACDOUGALL. It is much to be regretted, I think, that it should be in the power of any official, especially one of the class to which Professor Hind belongs, to create a feeling of dissatisfaction and doubt in the minds of the people of this country, as well as the neighboring country, with respect to the *bond fides* of a great international arrangement such as that of the Fishery Treaty. But for some reason, which one can only guess at, this gentleman has labored assiduously—I judge from the great number of documents, and correspondence of one kind or another which have been printed, I suppose at his expense, and distributed, I presume, among the members of this House—to prove something; and I have tried, by a cursory examination of these documents to ascertain what it is—what specific charge Professor Hind has to make against the department and against the hon. gentleman opposite—because I see his name is mentioned, and Professor Hind says he had communicated to the hon. gentleman these alleged frauds before he left office—I say I have failed to discover or ascertain, to my own satisfaction, what it is that Professor Hind charges against the Canadian Government. He attacks Mr. Whitcher, an officer of the department, and, perhaps, from the letter I have before me, he regards him as the chief sinner or person who ought to be exposed. Well, if Professor Hind and Mr. Whitcher had conducted their correspondence privately and assailed each other to their hearts' content, I suppose no member of this House would have felt any anxiety about the matter. But Professor Hind has taken pains to cause his charges to be spread everywhere. Not only has he gone to the Colonial Office, but he has found access to numerous journals of the United States, and, as we know, the matter has attracted the attention of Congress. I say it is peculiarly unfortunate that it should have been in the power of any person in his position to bring about such results, because we know that the treaty will expire in a year or two, and it will be necessary to renew the treaty or make a new one, or enter into some friendly arrangement with reference to this same matter. Therefore it is a grave case, and I entirely agree with the suggestion of the hon. gentleman opposite, that if the Fishery Department or its officers have been able to discover any foundation whatever, any material, for the charge that any facts have been misrepresented or misstated, which could have influenced in any degree the action of the Fishery Commission, it is due to our own honor, and to the interests

of the country, that the matter should be investigated, and that the truth with respect to it should be ascertained and made known. It is satisfactory to observe that the American Government have not been much startled by the statements of this gentleman; for I have not observed that they have found any reason to enter into correspondence with respect to it. At the same time public opinion in the United States has been affected to a considerable extent by the allegations made by this gentleman who puts "professor" to his name, and who has figured in our history very creditably hitherto. I had the pleasure of knowing Professor Hind for many years, and I formed a high opinion of his ability and talents; but my own impression on reading these documents, is that the gentleman is reaching that period of life when, either through disappointments or decadence of mental power, he is not entirely responsible for what he says. I am sorry to be obliged to find that solution as applicable to this case. But it appears to me that enough has been said to justify an inquiry. We cannot ignore statements received as these have been, and commented on in official, or at all events parliamentary circles, and it would be desirable to put an end at once, if possible, to even a suspicion of the *bona fides* of the Canadian Government in this transaction. In the first place, it strikes me that his whole case is at fault in this; that the frauds which are alleged to have been perpetrated by the officers of the Fishery Department would be to the disadvantage of Canada. If they were relied on for any purpose in the adjudication of this case, I cannot see that their effect on the arbitration would be to increase the amount demanded from the American Government for the privilege of fishing in Canadian waters. If we have exaggerated the catch of fish, how can anyone believe that the American counsel, or the witnesses they produced, would have been influenced by that circumstance? They have their own statistics of the catch of fish by their own fishermen on our shores, and I apprehend they relied on their own evidence, and not on anything that Mr. Whitcher might state. On the other hand, I suppose it might be said that the advantage to us was greater by reason of the privilege of sending our fish into their markets free of duty. If we caught twice as much fish as they, I suppose that would be an advantage to us; but that would lead to a diminution in the amount of money to be paid to us. So that on both sides of this question it appears to me, that Professor Hind is entirely mistaken in regard to these mistakes, or blunders, or frauds. They could have no influence or effect on the award itself. It it were proper to argue that two wrongs would make a right, I think the people and the Parliament of Canada might go back a little in the history of international arrangements, and might find plenty of evidence to justify them in saying that in the case of the Geneva Award statistics must have been used that subsequent investigation proved to have been greatly exaggerated, because it is notorious that a very large sum of money, amounting to several millions of dollars, remains in the hands of the American Government unclaimed to-day, and the amount of the award must have been based on some evidence of the extent of damage that was done. I apprehend, therefore, that if we are to have an international inquiry, it ought to affect both cases, and we might find that we could set off any excess on the one hand by a large excess on the other. This matter ought, at any rate, to be investigated, the facts ought to be known, and this false charge, as I think it appears to be on its face, ought to be exploded.

Motion agreed to.

#### SELLING OF HAY.

Mr. DOMVILLE moved for copies of all correspondence and telegrams relating to the selling of hay through King's  
Mr. MACDOUGALL,

County, in the Province of New Brunswick, on the Intercolonial Railway; copies of notices asking for tenders for the purchase of hay and tenders received; also all orders issued by the officials on the Intercolonial Railway for the selling of hay, permits given to officials to cut hay for their own use, authority for issuing such orders, and all papers relative to the withdrawal of such orders and tenders. He said: The matter which I have to bring before the Minister of Railways is one which is not so much departmental as a question of right. When the first portion of the Intercolonial was constructed, that portion known as the European and North American Railway, it started from the city of St. John, passing through the counties of King's and Westmoreland and finishing at the place called Shediac in the Gulf of St. Lawrence. The people whose lands the railroad traversed, in those days prior to Confederation, gave the right of way, in many instances, for nothing. As far as I can learn an Act was passed authorising the Government to take the lands, and compensate the people in some way for the right of going through, at the same time giving the Government power to take deeds of the lands by a certain form laid down to be registered at the Registry Office. For twenty years the people had enjoyed the privilege of cutting hay free on the lands traversed by the railway, and for which it is claimed they never got compensation, the right of way having been given the road free, on the ground that the people would derive great advantage through having a railroad passing their doors, and on the understanding that they would not be interfered with in regard to the hay. Last year, however, a pre-emptory order was issued stopping the right to cut hay, thus bringing the question at once to the issue of testing the rights of the people along the road. I do not propose to find fault with the Government, but wish to have this matter settled. If the people gave the right of way, on the understanding they were to have the hay, and were not paid for the land, and enjoyed the right of cutting the hay for twenty years, it seems hard that at a moment's notice that right should be taken from them. The argument has been brought forward that this order applied, not only to the Province of New Brunswick, but the whole country traversed by the Intercolonial, and therefore the people of King's and Westmoreland had nothing to complain of. I am not prepared to accept that doctrine, because the railroad when first built only passed through those counties. The sole difficulty arose in King's county, because in that county the road passed through hay growing districts. In my opinion their rights should have been considered. This question should be tested with one or two, and not with every farmer on the line of the road. When the Government asked for tenders for the sale of the hay, none of the farmers would tender, because every man was interested in getting the hay along the line close to his own property, and one farmer would not interfere with another. As to outsiders, it was impossible for them to cut the hay, because if they had tendered, and their tender had been accepted for the purchase of the hay, they could not have got the right of way to take it off the banks of the Intercolonial within the fences. The Government should select some one person in a county and test the question with him. When I found this order existed, I appealed to the Government, and the Government very properly stopped what I considered to be an injustice to my people. The matter rests there, and now I bring it before the hon. the Minister of Railways in order that some settlement may be arrived at. I know the hon. Minister will give it attention and justice, notwithstanding the criticism in some of the local press of my Province, to the effect that the hon. the Minister of Railways was hostile entirely to any of my constituents interests. I offered the authorities of the road to make

the question a test one between them and myself, so that it would do away with any necessity for the farmers along the line of the road to go to law. To attempt to defend their rights by law would be very improper, and, besides, when they got through with the law there might be nothing left to themselves, they might lose their farms as well as the hay. I thought it better, therefore, to make this motion and have their rights looked into.

Sir CHARLES TUPPER. There is no doubt that the hon. member for King's is quite in his right in bringing up this matter which constitutes a very considerable local grievance, not only in the county he represents, but in many parts of Quebec, New Brunswick and Nova Scotia. Although, perhaps, not a very important matter in itself, it is one that affects a very large number of people, and which has created a good deal of feeling in persons whose lands lie contiguous to the Intercolonial. I am not prepared to admit the premises of the hon. gentleman that, in acquiring the right of way for the Intercolonial, the Government ever recognized any right on the part of the proprietor to retain any right or interest in reference to the lands through which the Intercolonial runs. It would be manifestly not only improper, but fraught with the greatest possible danger, if every one whose lands have been taken for the road, reserved the right to enter upon those lands again. No such right can be recognized. The difficulty, however, arose in this way: it has been the practice of the managers of the road for many years past, in Nova Scotia, New Brunswick and Quebec, to allow the section-men along the line of the Intercolonial the privilege of cutting the hay on their sections; while the station-masters could cut the hay on the station grounds, and in some places there was a considerable amount to cut. That practice, which prevailed along the whole line, would not have been disturbed only that when we purchased the River du Loup Branch of 126 miles, we found the practice on it had been different. All the hay grown along that branch had been regarded as a perquisite, not of the section men, or of the station masters, but of the track masters. It became necessary, therefore, to adopt some uniform rule applicable to all the sections of the road. Otherwise the section men, station masters and track masters of one or other portion of the road would have considered their rights infringed, had they been refused a privilege enjoyed by similar officials elsewhere. We therefore adopted the principle of asking for tenders for the hay along the sections, as a means of placing all the parties upon an equality. It was considered that none of those officers had a right to that privilege, as the Government were paying for their services quite irrespective of any such privilege. Of course, the parties thus deprived advanced pretensions and raised a great many questions of dispute. I have no objection to the motion, and can only assure my hon. friend (Mr. Dozville) that I shall be extremely glad to find a satisfactory and just solution of the whole matter.

Motion agreed to.

#### CLAIM OF C. HORETZKY.

Mr. ANGLIN moved for copies of all correspondence with the Minister of Railways, the late Chief Engineer of the Pacific Railway, and all other correspondence and documents respecting the claim of C. Horetzky, for higher compensation than he has received for his services in exploring the region between the Skeena and Peace Rivers, in the year 1879. He said: It will be recollected that, in the Session of 1879, hon. gentlemen opposite announced that they did not think the exploration of the Peace River district sufficient to justify them in coming to a conclusion with respect to the Pacific Railway terminus, and they had resolved to obtain further explorations. We knew from their report that, in consequence, they did send

out parties for that purpose, and one of them was under the charge of Mr. Horetzky, whose name is familiar to most hon. gentlemen who have studied the railway reports. I think it was generally understood that his services were of a very valuable character. Very great importance appeared always to be attached to any report he made, and any information he supplied appeared to be always reliable and to possess great influence with the Chief Engineer, and through him, I presume, with the hon. Minister of Railways for the time. He was in this case employed to take charge of one of these expeditions. He alleges that he had the most difficult part of the work to do, owing to the more rugged character of the country, and that his services were in themselves of a more valuable character, because of the fact that he had to explore a country of that description, without rendering it necessary to make a comparison between himself and the other gentlemen on the survey. He made no arrangements at that time about his salary, and after reports came to be made and he came to speak of the question of remuneration, he found that Mr. McLeod was paid at the rate of \$200 per month while he was only paid at the rate of \$160 per month. He made a claim accordingly, but he was informed by the Chief Engineer that the matter must be settled by the Minister. He applied to the Minister of Railways and he was told that if the Chief Engineer recommended that a larger sum be paid, it would be paid, or at all events the recommendation would be favorably considered. He proceeded to press his application applying now to one of these gentlemen, now to the other, until in the end he succeeded in obtaining from the Chief Engineer the following letter:—

" CANADIAN PACIFIC RAILWAY,  
" OFFICE OF THE ENGINEER IN CHIEF,  
" OTTAWA, June 1st, 1880.

" C. Horetzky, Esq.,  
" 470, Albert Street.

" DEAR SIR,—In closing up my correspondence I find a letter from you of the 4th May respecting your salary.

" As I never had any power to fix salaries, my only course is to refer your letter to the Minister for his favorable consideration.

" Yours truly,  
" SANDFORD FLEMING."

When I was asked to bring this matter to the attention of the House and the Government, I did not feel at liberty to decline, though I did not know Mr. Horetzky otherwise than by the reports I had heard of him, and they were of a very favorable character. I hope the matter will receive the favorable consideration of the Ministry. Though Mr. Horetzky is not called an engineer professionally, though he was employed from time to time as an explorer, yet on this particular occasion he was engaged on work which he was as well qualified to do as probably any other gentleman in the public service. It does seem to me somewhat invidious, that when he was employed on that special service, after having been at various times in the employ of the Government before that time—though not since—he should be paid at a lower rate than a gentleman, who, though I do not question his capacity at all, was doing similar work to that which Mr. Horetzky performed.

Sir CHARLES TUPPER. I may say in reference to this matter, that, as the House is well aware, under the Act respecting the Canadian Pacific Railway, no payments can be made of any description unless the amounts are certified to by the Chief Engineer. The services of Mr. Horetzky were obtained by the late Government from time to time, and he was also employed by the present Government. When these salaries were fixed the practice was, under the late Government, I believe, as well as under the present, for the Minister of Railways and the Chief Engineer to go over the names of the persons to be employed, and to discuss what would be

proper salaries to pay for their services they were called upon to discharge. The salaries were fixed in that way and paid in that way. The Chief Engineer has stated correctly, in the letter which the hon. gentleman has read, that he had no power to fix Mr. Horetzky's salary; but, on the other hand, the Government had no power to pay except on the certificate of the Chief Engineer. Mr. Horetzky's salary was fixed in that way, and when his services were performed he was settled with, and he gave a receipt in full for the amount he had received. He subsequently made a claim on the department for a larger amount, on the ground, as the mover of the resolution has correctly stated, that he found that some other officer, who was an engineer, had been paid at a higher rate than that at which he had been paid. I, of course, referred Mr. Horetzky to the Chief Engineer, or to the gentleman who had been Chief Engineer at the time, and he gave Mr. Horetzky the letter which has just been read by the hon. member for Gloucester. The Chief Engineer very properly says that he had not power to fix the salary, but when he adds that he would refer the letter to the Minister for his favorable consideration he does not go far enough, because the Minister had not authority under the law to pay a single additional dollar on that letter. After Mr. Horetzky had been paid and had given a receipt in full for all the services he rendered, I said that it would be necessary for Mr. Fleming to state the additional amount, if any, to which he thought Mr. Horetzky was entitled on a review of the question, and that if Mr. Fleming would do so the Government would give his recommendation very favorable consideration. Mr. Fleming declined to certify to any larger amount, and, of course, it was not proper for the Government, under these circumstances, to pay any larger amount, Mr. Fleming considering that he had had a suitable salary assigned to him, which he had received in full for services rendered. I have no objection whatever to all the correspondence relating to the matter being brought down.

Mr. DAWSON. I do not know anything about Mr. Horetzky's accounts, but as his name has been mentioned I would take this opportunity of saying that, judging from his explorations, I consider him a very capable and energetic officer. He did what I consider a very plucky thing, something like the voyageurs of old time, when, in 1872, he went to the Peace River, and with very little assistance, with only two men with him, and in the commencement of winter, he crossed over the Rocky Mountains and made his way to the Pacific Ocean. It was a most extraordinary feat, one that we do not see performed every day. When he came home he wrote a most interesting work, containing the best information we had up to that time upon that country, and I would be very glad if the Government could see its way to remunerating him on a scale commensurate with his services.

Motion agreed to.

#### COST OF EXPLORATION IN THE NORTH-WEST.

Mr. ANGLIN, in moving for returns showing the cost of each expedition employed in exploring the country in the neighborhood of the Peace River and the Skeena, and the northern routes, for a railroad to the Pacific Ocean, said: I think this motion will show that the services rendered by Mr. Horetzky in his explorations were very valuable, and that he economized carefully, doing almost as much work as Mr. Fleming, at a much less cost. Many hon. gentlemen have read the very interesting report by Mr. Gordon, and his account of the services rendered by that expedition. I have no doubt the gentlemen employed in that expedition did the best they could to carry out the instructions of the Government, that they ascertained as far as possible the character of the country through which they passed, and that it was not a mere pleasure excursion on their part. They seem to

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have been delighted with the appearance presented by the flora of that country, and altogether it seems to have been, in the early part of it, one of the most delightful trips they could have undertaken. I think, in the other case, there was a good deal more labor and hard work, attended with much inconvenience and perhaps some suffering. At all events the reports will show that Mr. Horetzky conducted his share of the work in the most careful and economical manner, and was therefore all the more entitled to a fair remuneration.

Motion agreed to.

#### THE DISMISSAL OF D. J. MORSE.

Mr. ROBERTSON (Shelburne) moved for copies of all correspondence in reference to the dismissal of D. J. Morse, from the position of Sub-Collector of Customs at Bear River, in the county of Annapolis, together with all reports of Inspectors of Customs, and others, and any other correspondence bearing upon the subject. He said: This motion refers to the dismissal of the Sub-Collector of Customs in the county of Annapolis. I do not believe there has been a dismissal in the western part of Nova Scotia for many years, that has attracted so much attention as this. Newspapers, on both sides of politics, have blamed the Government in connection with it. This Mr. Morse was appointed Sub-Collector of Customs at Bear River sometime in 1877. From the time of his appointment until his dismissal, the revenue at that port continued to increase. I make that statement because one of the charges against him is that he was negligent in the discharge of his duty. In July, 1878, Mr. J. J. Kerr, Inspector of Customs for Nova Scotia, was sent to Bear River to report upon eight charges made against that gentleman. The report of Mr. Kerr states that there was no foundation whatever for those charges. Shortly after this Mr. Morse submitted evidence to the department at Ottawa, charging the owners of a certain vessel in that locality with violation of the revenue laws, and upon the evidence he submitted, being the sworn affidavits of a number of the seamen of that vessel, he was instructed to seize the vessel and lay a fine upon it, and to demand payment from the owners for a certain amount of the cargo that had been smuggled by these seamen. Subsequently, after considerable correspondence with the department, indulged in by some members supporting the Government in the western part of Nova Scotia, the department advised the Sub-Collector to release the vessel and to make no further demand upon the owners for the fine. In December, 1879, a Mr. Wolff, a gentleman, I believe, in the employ of the Customs Department, was sent to Bear River to inquire again into certain charges preferred against Mr. Morse, and after he had examined the books and papers of the Collector, he expressed himself as perfectly satisfied with everything in connection with the management of the office. He expressed himself thus both to Mr. Morse and to other gentlemen in that section of the country. Mr. Wolff returned to Ottawa, and on the 21st of January, he addressed a private letter to Mr. Morse, written, one would say, from one friend to another, in which he made no reference to the fact that he had reported that the charges preferred against Mr. Morse were correct. On the 21st of March, nearly three months after Mr. Wolff's visit to Bear River, the Commissioner at Ottawa addressed a letter to the Collector of Customs at Digby, the superior officer of Mr. Morse, instructing him to remove the Sub-Collector at Bear River from his position. This was three months after Mr. Wolff made his report. This gentleman was dismissed without having any opportunity to reply to the charges made against him. After his dismissal, I am credibly informed, a certificate was forwarded to the department, signed by all but two of the merchants and importers of Bear River, stating that he was

"Strict in the discharge of his duties, especially in his collection of all demands he might have against us as importers, also courteous and obliging in his business relations; that the steadily increasing revenue of the port is a fair answer to the charges of being inactive for the prevention of smuggling." I believe if the facts were known, it would be found that it was because of his political leanings, rather than want of efficiency in the discharge of his duties, that he was dismissed.

Mr. WADE. I wish to state that the member for Digby had nothing to do with the matter at all. It was wholly and solely the doing of the hon. member for Annapolis.

Mr. ROBERTSON (Shelburne). This gentleman was a Sub Collector at the port of Digby.

Mr. LONGLEY. I think the hon. member for Shelburne is mistaken in saying that Mr. Morse was a Sub-Collector at the port of Digby. He is a resident of the county of Annapolis, and I presume I shall be obliged to bear all the blame of his dismissal, if, after full investigation, there is found to be any blame to be attached to anyone. The papers, I think, will show that Mr. Morse was not dismissed at my suggestion, but on the report of this very Mr. Wolff to whom reference has been made. To show the moderation that has characterized my action, I need not tell the House that, during the *regime* of our opponents, they made all the appointments they possibly could, and that we have a great preponderance of them among the office holders in the county of Annapolis. Yet I am not sensible of having desired to dismiss any man on purely political grounds: first, because it is a vicious principle, and, secondly, because it usually tends more to the injury of those who are instrumental in the dismissal than anybody else, for, after you get a man dismissed your difficulties just begin. Even before the dismissal is made, in long anticipation of it, you have about one hundred and fifty applications for the vacant position. So looking at the matter in all its aspects I do not think there is any great desire in the mind of any representative even for the dismissal of his political opponents.

Mr. BOWELL. There is no objection to bringing down the report of the Inspector on which Mr. Morse was dismissed, and I think, when it is read to the House, they will come to the conclusion that he was very properly dismissed. I can assure my hon. friend for Shelburne that he was not dismissed on account of his political opinions. I can readily understand why no particular noise has been made about the dismissal of any other Customs officer in Nova Scotia, because I take it for granted that my hon. friend for Shelburne would not make any noise about any dismissal that happened to be a deserved one. There have only been two dismissals of Custom-house officers in Nova Scotia—one a strong Conservative, and this one who, I now learn from my hon. friend, was on the other side of politics; and when I tell the House that Mr. Morse was reported to have allowed goods to go out of bond, and to go into consumption without collecting duty on them, I think they will admit that to be sufficient to justify the removal of any Customs officer; and when a Collector of Customs is instructed to ask an importer to amend an entry which has been improperly made, and which, when amended will cause him to pay a higher duty, and he holds out to that importer an inducement that if he amends this entry and pays the duty on this article he will make it up to him on some other article that he imports, I think that is sufficient to justify the dismissal of the officer. These are the two charges principally upon which Mr. Morse was dismissed. The latter charge is sustained by the affidavit of the importer to whom the proposition was made by the Collector of Customs. If that can be tolerated in any part of the Dominion, I have yet to learn it will be in the interests of the Customs Department, or any other department, to retain such officers in their employ.

Mr. MILLS. The hon. gentleman is under the impression that the dismissal was made by the Government; but the hon. member for Annapolis (Mr. Longley) is under the impression that the dismissal was made by him. The hon. gentleman held himself responsible for that action and has told the House of the difficulties arising in consequence of the dismissal: that he had 150 applicants for the position as soon as the vacancy took place.

Mr. BOWELL. I did not so understand the hon. member for Annapolis (Mr. Longley). If he did make that statement I may say that the dismissal did not take place upon his representation. Neither was it upon any complaints he made to the department in respect to the conduct of this officer, but altogether in consequence of the representation of merchants and others who resided there.

Mr. MILLS. There is a delusion somewhere.

Sir CHARLES TUPPER. The delusion is attempted to be made by the hon. member for Bothwell. The hon. member for Annapolis (Mr. Longley) distinctly stated that he had not asked for this dismissal, and was quite prepared to assume the blame and the responsibility, which might attach to the party who had revived the investigation into the conduct of the officer; but the hon. gentleman had distinctly stated that he had not even asked for his dismissal. Therefore a delusion was attempted to be created by the hon. member for Bothwell (Mr. Mills).

Mr. KILLAM. The hon. member for Annapolis (Mr. Longley) may have been misunderstood. He stated first that he would be quite willing to take all the blame for the officer's dismissal, and a short time afterwards he said he had nothing to do with it.

Mr. LONGLEY. I think I stated, as distinctly as it was possible to state anything, that I had asked for a second investigation, and that I was willing to bear the responsibility of that request. I said, if blame was to be attached to any one, I would bear it; but we have not reached that conclusion.

Mr. ROBERTSON (Shelburne). What I complain of is that Wolff was sent to report on the case in December, 1879, and after examining the office at Bear River and all the papers, he reported there was no ground whatever for the charge that had been made against Mr. Morse. That statement was publicly made known in the village, and afterwards published in the Nova Scotia press and not denied. On January 21st, 1880, Wolff wrote to Morse from Brockville:

"Will you kindly advise me of the result of departmental instructions *in re* smuggling in the *Maggie Blanche*? Is the vessel seized, and have you received the fine from Bogart and Miller; and what other evidence did you or the collector receive in regard to the matter? I want to know all about the matter for my own private information."

Mr. Wolff did not visit Bear River after he wrote that letter' but three months after receiving that report the Government dismissed the officer at Bear River without giving him a chance to reply to the charge. That is the charge I make against the Government.

Mr. BOWELL. The hon. gentleman has referred to a conversation at Bear River, and has said that Mr. Wolff made certain statements. I had not a spy there to ascertain what Mr. Wolff said. The department received the report of its officer, and I know nothing of correspondence between Wolff and Morse on any other matter. It did not come under the cognizance of the department. Neither am I aware of any conversation he may have had with Mr. Morse, nor is there any record in the department which will justify the statement made or the impression which the hon. gentleman endeavored to leave on the House that Wolff had reported that he was perfectly satisfied as to the way Morse's office was conducted. There is no such document in the

department. All I know of the result of the investigation is from Wolff's report presented to the department, whether it was three months before I am not prepared to say. I think the hon. member is mistaken as to the date of the report. It may not have been made immediately on the return of Wolff; that is a point of which I have no knowledge just now, but the papers will show. I am not responsible for communications made by Wolff in a private letter; neither is the Government nor the department, unless the hon. gentleman will show improper correspondence with an officer, and when such is brought to the notice of the department, Wolff will be dealt with like any other officer.

Mr. ROBERTSON (Shelburne). When Mr. Kerr, of Nova Scotia, was sent to investigate the case, the Government took no action, because he said there was no foundation whatever for the charges. When the case was re-opened, at the suggestion of the hon. member for Annapolis (Mr. Longley), the department did not again send Mr. Kerr but an officer from Ottawa, who is not employed on that special work.

Mr. BOWELL. He has been so for twelve months.

Mr. ROBERTSON. On the report of that officer no action was taken until three months had elapsed, and the officer at Bear River was never given an opportunity of replying to the charge.

Motion agreed to.

#### RETURNS.

The following motions for returns were severally agreed to:—

Copies of all correspondence between the Hudson's Bay Company, or any person acting on its behalf, or between any other person and the Government, in reference to the land on the north and south sides of the River Qu'Appelle, near its confluence with the Assiniboine; and also, in reference to the land on the east bank of the River Assiniboine, at or near its confluence with the Qu'Appelle, and for all papers, Orders in Council, etc., in relation thereto.—(Mr. Drew.)

Correspondence, papers and Orders in Council respecting claim of settlers on lands set apart for the Hamilton Colonization Company in the Bird Tail Land district, to be allowed to take up their pre-emption on odd or even numbered sections at \$1 per acre; and for all correspondence, papers and Orders in Council respecting the admission of other settlers to the same privileges.—(Mr. Drew.)

Copies of all correspondence in reference to the claims of persons whose lands have been expropriated for the Selkirk crossing of the Canadian Pacific Railway.—(Mr. Schultz.)

Copies of correspondence in relation to the deepening of the River Nicolet, and a harbor of refuge at the entrance of that river; also the plans and reports relating to the said undertaking.—(Mr. Méthot.)

Copy of all returns furnished by railway companies in Nova Scotia, under Vict. 38, Cap. 25, entitled "An Act to amend the Law requiring railway companies to furnish returns of their capital, traffic and working expenses."—(Mr. Rykert.)

Copies of the report of the engineer who conducted the survey of the harbor of New Carlisle in 1880.—(Mr. Beauchesne.)

#### PUBLIC BILL.

Mr. CASGRAIN moved that Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public moneys, be discharged, and that the Bill be referred to a Select Committee, composed of the following members: the Minister of Justice, Messieurs

Mr. BOWELL.

Girouard (Jacques Cartier), Brooks, Guthrie, Cameron (Huron), Kirkpatrick and the Mover.

Motion agreed to, and Bill discharged.

#### PRIVATE BILLS.

Mr. BOWELL, in the absence of Mr. WHITE (Hastings), moved the second reading of Bill (No. 48), respecting the Canada Consolidated Gold Mining Company.

Bill read the second time; and (at 6 o'clock, p.m.) the House adjourned.

### HOUSE OF COMMONS,

THURSDAY, 10th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PRIVATE BILL.

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

Bill (No. 55) to amend the Acts relating to the New Brunswick Railway Company.—(Mr. Weldon.)

#### CARRIAGE OF CORDWOOD TO WINNIPEG.

Mr. ROYAL enquired, Whether it is within the knowledge of the Government that the instructions given last autumn, by the hon. the Minister of Railways and Canals, to T. J. Lynskey, Superintendent of the Canadian Pacific Railway, at Winnipeg, with the object of assisting the working classes of Winnipeg and St. Boniface, by providing as many cars as possible for the use of those desirous of bringing in cordwood from the east of the Province, have been interpreted by the said T. J. Lynskey in such a way as practically to give to the Hon. Gilbert McMicken, Speaker of the Legislative Assembly of Manitoba, a monopoly of the entire carriage of cordwood, and that instead of lowering the price of cordwood, that monopoly has been the source of considerable profit to the said Hon. Gilbert McMicken, and against the instructions mentioned in the letter of the hon. the Minister dated the 31st ult., addressed to Captain Thomas Scott, Member for Winnipeg.

Sir CHARLES TUPPER. I have to say, in answer to the question put by the hon. gentleman, that instructions were given to reduce the charges for bringing cordwood into the city of Winnipeg; but they were not given in such a way, as to discriminate in favor of any parties. The Superintendent was directed to furnish carriage for all cordwood without reference to any individuals, and the Company with which the Hon. Gilbert McMicken was associated had no advantage over other parties bringing in cordwood. I did not understand that that gentleman was at all interested in any other way than as a member of a company engaged in furnishing cordwood. Instructions were given to provide all facilities for carrying cordwood into Winnipeg at reduced rates to those previously charged on the Canadian Pacific Railway.

#### NAVIGATION OF THE ASSINIBOINE.

Mr. DREW enquired, Whether the Government is aware that a bridge erected by the Hudson's Bay Company across the Assiniboine River at Fort Ellice, prevents steamers passing up the stream above that point, and whether they will take steps to secure such alterations in the bridge, by placing a swing or draw in it as will remove the existing obstruction to navigation?

Mr. LANGEVIN. The only communication received by my department on this subject is one from the Department of Marine, calling attention of the Minister of Public Works to this case. It appears that for many years the Hudson's Bay Company have maintained a bridge at that point in order to communicate with their different posts. The present structure is built on piles and completely obstructs the passage of steamers above Port Ellice, to which point they now ply from Winnipeg. If this bridge were removed or a draw provided, the upper part of the Assiniboine might be navigated. As it stands, the bridge is an obstruction to the navigation of the Assiniboine; there is no doubt about that. The only question that arises is, whether the Dominion Government or the Hudson's Bay Company should do the work; and that question is now under consideration.

#### INSOLVENT ACT AMENDMENT BILL.

Mr. McCUAIG moved the second reading of Bill (No. 39) to amend the Insolvent Act of 1875, and amending Acts.

Bill read the second time, considered in Committee, read the third time and passed.

#### SUPREME AND EXCHEQUER COURT ACT.

Mr. LANDRY, in moving the second reading of Bill (No. 4) to repeal the Supreme and Exchequer Court Act and the Acts amending the same, said: There are many objections to the Supreme Court, especially in the Province of Quebec. Last year a promise was made by some Minister, that some change would be made in regard to this Court, in order to do justice to the Province of Quebec. A year has elapsed, and we are still awaiting some amendment in this direction. Nothing has been done, however, and I think, under these circumstances, it is our duty as representatives of this Province, acting in the interests of our constituents, to bring forward this Bill this year. We see every day judgments of the Court of Queen's Bench, Court of Appeals and other Courts reversed by, practically, two Judges of the Supreme Court, only two knowing our civil law, and their colleagues being obliged to accept their advice and opinions. So the judgments of five Judges in our Superior Courts are liable to be set aside by only two Supreme Court Judges, and when the two Judges do not agree, such judgments are really reversed by only one of them, the other Supreme Court Judges being on his side. Another fact well known to every Quebec member is, that all our provincial rights have been impaired by the judgments of this Court. I was glad, the other day, to hear the President of the Privy Council speaking in approval of judicial decentralization; but one of the greatest obstacles to the full realization of this reform is the maintenance of the Supreme Court. In a few years, should its judgments resemble those of the past, we shall see all our provincial rights diminished, and the administration of justice in our Province impaired to a great extent. I think, therefore, it is the duty of Quebec members to support this Bill. I hope the Minister of Justice will do me the justice to support it, and if he is willing, I shall gladly leave it in his hands.

Mr. McDONALD (Pictou). I regret that the hon. member should have thought it his duty to ask the House to read this Bill the second time. I regret it all the more, because I think it is always a matter of regret, that in the High Court of Parliament of this country, a great institution like the Supreme Court should on any occasion be made the object of criticism, which tends in some degree to disparage the character and standing of that Court in the country, and to lessen its authority and dignity. I am proud to think that a large majority in this House, and a large majority in the country, do not concur with the hon. gentleman in believing that it would be desirable in the

interests of Canada that this Bill should pass, and that the Supreme Court should be abolished. I do not intend at this time to go into a discussion as to the position of the Supreme Court, or the mode in which it discharges its high functions in relation to the several Provinces of the Dominion. I am quite well aware that in Quebec, as in perhaps one or two other Provinces, there are occasions when there is some friction, and when the decisions of the Court are not quite so readily accepted as we hope by-and-bye they will be. But I am quite satisfied—I think it is universally recognized that, year by year, as the Court grows in familiarity with the institutions of the various Provinces, as the Court has an opportunity of showing to the people of this country the zeal, energy and industry with which it discharges its high functions—I say and think it will be admitted that as the time passes by, the Court will become more satisfactory to all the Provinces, and I hope I need not except the great Province of Quebec. I am quite well aware that the peculiarity of the institutions of that Province may make the distinction greater, with reference to the authority of the Supreme Court in that Province, than in the others, but I think from the number of cases brought before the Supreme Court, from the character and nature of the question then raised, and from the general acceptance with which the decisions of that Court, at any rate those of late years, have been accepted by the Bar and the general community of that Province as well as of the rest of the Dominion, that my hon. friend will see that he will only have to wait a short time to find the decisions of the Supreme Court of the Dominion received even in Quebec with such authority and such acceptances as those of the eminent Courts of that Province, more especially adapted perhaps to its institutions. Before sitting down I ought, perhaps, to remark upon an observation made in one of the public papers—an influential newspaper of the day—some time ago, with reference to the Court itself. And I do so because I am quite certain that that influential paper would not willingly—would not without information which, however, I know to be unfounded—have given utterance to reflections upon an institution that, at any rate, deserves fair consideration and fair dealing from the press, as well as from the Parliament of this country. It was stated in the *Montreal Gazette*, a week or two ago, that the Supreme Court deserved the reprehension of the country, owing to the delays which occur in that Court. I have not the memorandum beside me just now, which I obtained on that occasion from the gentleman who presides over that Court, but I am able to say, from memory, that up to the time at which I obtained that memorandum—before the Court met, to-day, to render judgments and reduce the number of cases then standing for argument—up to that time there was not a single case standing for judgment, excepting those which had been argued at the last November and February terms of the Court. Now, I think anyone who understands how important it is that the judgments of that Court should be of a character to command confidence—whether they received that confidence or not—will admit that the Judges of that Court ought at any rate to have ample time for deliberation and consideration. I think every lawyer will feel, and every layman who understands at all the work of our institutions will acknowledge, that a Court which has kept its arrears up to within three months of the time of delivering its judgments is discharging its functions in that respect at any rate in a manner that ought to be satisfactory to the country. I may say that the labor of this Court is of a very serious character. The Judges in considering their judgments have to consider an enormous mass of testimony taken in the Courts from which appeals come; they have to consider the arguments of those Courts of high standing in the several Provinces and the labor and consideration necessarily

involved in the proper consideration of their conclusions must be of no inconsiderable character. I think, therefore, the complaint that the Court is behind in its work is not deserved. Under these circumstances, I feel that my hon. friend, after giving expression to his own views, with reference to the working of the Court in his own Province, will not desire further to press his motion for a second reading of the Bill. At all events, we see by the motion placed on the paper by the hon. member from Jacques Cartier (Mr. Girouard), that that hon. gentleman proposes, in another form, to remedy some of the difficulties which the Bar of Quebec feel with reference to the Supreme Court of Canada.

Mr. BLAKE. I do not propose to take up the time of the House but for an instant. I wish only to refer to one observation of the hon. member for Montmagny (Mr. Landry), which I think deserves some remark, the more so as this is not the first time that the observation has been made in this Chamber, and it has been circulated tolerably extensively elsewhere. I concur in the view that if the remark had been well founded the Bar and the people of the Province of Quebec would have a reasonable cause of complaint, in regard to the mode in which their judicial matters which come before the Supreme Court are disposed of. But I have seen no evidence at all which leads me to the conclusion that the remark of the hon. member is well founded. I refer to the statement made by the hon. gentleman that the decisions of the Supreme Court, so far as they dealt with appeals from the Province of Quebec, were the decisions of two Judges only, by which I understood him, of course, to mean of the two Judges who came from that Province. I say I quite agree with that. If it were true that in substance the decisions of the Supreme Court upon such appeals were the decisions of the two Judges who happened to belong to the Quebec Bar, there would be grave cause of complaint, because I think we must all agree that it is the duty of the Judges of the Supreme Court from the different Provinces to participate in any judgment delivered by that tribunal, to master the questions involved, the laws upon which it is dependent, and to render their own best judgment on that subject. I think they would not be discharging their duty if they gave simply a formal accedence to the judgments of other Judges, without giving their own independent judgment on a question coming before them. What I complain of is, that my hon. friend should have, upon evidence which I have not at all been able to perceive, made a statement which is calculated to be, what in fact is, a very severe reflection on the Judges of that Court who come from other Provinces than that of Quebec. I say their duty is to deliver judgments based on reflection, on study, on the ascertainment of the law to the best of their ability, no matter of what Province that law may be, and no matter how difficult the research may be. I believe the Judges of the Supreme Court discharge that duty to the best of their ability. I believe that in this particular the complaint of my hon. friend, which, however, does not come from him alone, is not well founded; and I did not wish the discussion to close without reference to that which, if true, would be a serious subject of complaint, but which, not being founded, is no subject of complaint at all.

Mr. LAURIER. If it were proper for me to advise the hon. gentleman who has charge of this Bill, I would say that his best course would be to suspend its reading until the House has had an opportunity to consider the Bill brought forward by the hon. member for Jacques Cartier (Mr. Girouard). As far as I understand the argument of the hon. gentleman for Montmagny (Mr. Landry), it is not directed against the jurisdiction of the Supreme Court as a whole, but only so far as its jurisdiction conflicts with the Civil Law of the Province of Quebec. The logical conclusion

Mr. McDONALD (Pictou),

of his position would be, although he did not express it, not to abolish the Court altogether, but to curtail its jurisdiction, and that is exactly what is proposed by the Bill of the hon. member for Jacques Cartier. Therefore, I think it would be more proper for my hon. friend not to press his Bill any further, until after the House has dealt with the Bill of the hon. member for Jacques Cartier, and if that is not satisfactory then my hon. friend from Montmagny can proceed with his Bill.

Mr. CAMERON (Victoria). I trust my hon. friend for Montmagny will be induced to withdraw this Bill at the present time. I feel, as I have said on a former occasion in this House, that the existence of a Supreme Court for the whole Dominion is necessary to complete our Confederation, and without such a Court as was contemplated by the Confederation Act, the Dominion as a whole is not complete. I quite agree that if the Supreme Court is not now satisfactory, it ought to be made so in every Province of the Dominion, and ought to be so constituted as to deserve the confidence of suitors in every part of the Dominion. I do not propose at the present time to enter into the objections that have been urged against it, more particularly from the Province of Quebec; but I feel so strongly that it ought not to be abolished, that if necessary it should be improved and made satisfactory to every Province of the Dominion, that I trust and hope my hon. friend will, in view of the Bill that is proposed to be introduced by the hon. member for Jacques Cartier, and which, I believe, is intended to remove some of the objections to the Court which exist in the Province of Quebec, withdraw this Bill. There is no doubt the Supreme Court, if it be not now entirely satisfactory to every Province, ought to be made so; and I think there is no doubt that it can be made so. It is not desirable or proper, rashly, to say anything in reference to the constitution of any of our Courts, or to make any remarks that would tend to impair the respect in which they are held by the inhabitants of this country. For that reason I defer entering into any discussion of the details of any amendments that may be thought necessary, as I think this is a matter that rather lies in the province of the Government than in that of any individual member.

Mr. BOURBEAU. Two years ago we were called upon to vote on a similar Bill decreeing the abolition of the Supreme Court. This Bill was introduced by an hon. member now deceased, and I gave it my support. The same Bill was presented last year, but was withdrawn at the suggestion of the hon. Minister of Public Works, in order to allow of the hon. Minister of Justice modifying the constitution of the Supreme Court in such a manner as to do justice to the demands of the Province of Quebec. To-day the hon. Minister of Justice rises, but he does not go so far as to say that the Supreme Court will be abolished, or that certain modifications have been made during the vacation, but his words imply that that Court is most useful, that it is necessary, and that there are no means of doing without it. I am not sufficiently acquainted with matters concerning the administration of justice, to undertake a discussion on the subject, but I am in the habit of acting up to my promises; and as I have promised my electors to vote for a Bill that would bring about the abolition of the Supreme Court, I rise to say that I will support the Bill moved by the hon. member for Montmagny (Mr. Landry), and I will vote in its favor.

Mr. LANGEVIN. I do not agree with those members who believe that the Supreme Court is all we should expect it to be. Far from it. If I am not mistaken, to-day, perhaps at this moment, judgment is being rendered in that Court in a case which has been standing over for months. Delays such as this are one of the reasons why that Court—we must say it, because it is in the mouths of the people—has not become a popular Court. As the hon. member

for West Durham once said—not this Session, but in a previous Session—it is our duty to let the Judges know what is the feeling of Parliament and of the people, and we should therefore let them know that these delays, sometimes extending to a year or fifteen months or eighteen months, are not calculated to strengthen that Court. The hon. member for Montmagny remarked that many of the cases from the Province of Quebec are believed to be decided by two Judges only, whom we must understand to be the two Judges from that Province. Of course we have no legal evidence of such being the case, but we cannot close our eyes to the fact that there is a conviction in the Province of Quebec that in the large majority of cases it is so. How that conviction has arisen I cannot say; but it is another reason why the Court is unpopular in that Province. I do not say that it is a very popular Court in the other Provinces; on the contrary, I think that in many of the Provinces the same feeling exists towards it. It is certainly very unfortunate that the highest Court in Canada does not possess all the regard and confidence which courts of justice should have. I desire to be careful as to what I say, not only because I am speaking as a member of Parliament, but because of my position as a Minister of the Crown. I do not charge these Judges with dereliction of duty, which is charged against them outside, because I have no evidence of it. I wish to show, however, that the complaint made by the hon. member for Montmagny does not come from him alone, but is felt throughout the whole Province of Quebec, that the judgments of that Court are not really rendered by the whole Bench, but are the result of the deliberations of the two Judges from that Province. This is unfortunate, and I hope the matter will be considered in order that the evil may be remedied. The question is a very important and difficult one, and therefore I must ask my hon. friend from Montmagny to withdraw his motion, so that the House may consider the Bill of the hon. member for Jacques Cartier (Mr. Girouard), and then, if he is not satisfied with the decision of the House with respect to the measure, he will be perfectly free to bring in his motion again.

Mr. VALIN. Mr. Speaker, the hon. Minister of Public Works has told us that he was none too fond of the Supreme Court. Nor am I too fond of it, Sir. That Court is unpopular in our counties. Every one knows that our young country can dispense with that Court, for it costs too much, and the Judges only work a very short time every day; as a matter of fact, they come into Court every day at a very late hour—the greater part of the time they begin sitting at noon, and even later. Why should they not, Mr. Speaker, keep better hours, and sit from ten in the morning to four in the afternoon; they would then be able to get through their work in time, and would be able to render their judgments far more promptly. But, Mr. Speaker, we pay those Judges very high salaries, and they might consequently sit from ten to four o'clock; so that persons having business in that Court would not be kept waiting so long. Moreover, the time that they take to render judgment is long beyond measure, and the country suffers therefrom. It seems to me that they could have rendered judgment far sooner, and that would have been to the advantage of those who to-day hold turnpike trust bonds. Mr. Speaker, I need not tell you that the Supreme Court is not popular; every one says so; every one cries out against it. I hope, therefore, it will be abolished.

Mr. COURSOL. As the Bill introduced two days ago by my hon. friend from Jacques Cartier has not yet come up for discussion, I think the present Bill should be allowed to stand until we hear the discussion on that measure; and then if the hon. member for Montmagny wishes to move that the Supreme Court be abolished, he will have the

opportunity to do so. I believe that many members of the House were not aware that the hon. member intended to bring up this matter to-day, and are now taken by surprise. I hope, therefore, that the hon. member will see that it is the desire of the House that the Bill should be suspended until another day.

Mr. HOUDE moved the adjournment of the debate.

Mr. McDONALD (Pictou). Before you put that motion, Mr. Speaker, will you allow me, for the benefit of my hon. friend and colleague, to state the contents of the memorandum I referred to a moment ago? At that time there were fourteen or fifteen cases standing for judgment from the Maritime Provinces, five from the Province of Quebec, and six from the Province of Ontario. In the three Maritime Provinces' cases, the one was argued on the 26th October, the other on the 26th and 28th October, and the third on the 29th October last. The Quebec cases were argued, the one on the 4th and 5th November, the other on the 6th November, the third on the 8th November, the fourth on the 9th, 10th and 11th November, and the fifth on the 12th November. In the cases from the Province of Ontario, the arguments began on the 16th and terminated on the 22nd November. So that my hon. friend will see I was strictly accurate in the statement I made. This return which I received from the Chief Justice of the Court is of course an accurate statement of the state of business there. With one exception, therefore, no case was standing up to the meeting of the Court this morning, which met to give judgments, earlier than the 26th October last. The one exception is the Exchequer case, called "The Queen vs. Bell," which was argued in this Court on the 17th or 18th May, and that case is one of very great importance, involving the investigation of a large amount of facts standing over from the first May last until the present time. With that one exception, I think no complaint whatever can be made against the time occupied by the Court.

Mr. L'ANGEVIN. I may say that that case which was argued in May, had been before the Court for over a year—I think fifteen months—before judgment of one Judge was given, and now this same case has been ten months again before the Court before being decided.

Mr. WHITE (Cardwell). I do not desire to enter upon a discussion of this question at this time. As a layman I would feel great delicacy in discussing it at any time; but in the case just referred to, the proceedings in the Supreme Court at this moment show one feature in regard to which the public at large, I believe, desire to see a remedy applied. Judgment is being given in that case at this moment, and so far as we can learn there scarcely appears to be any agreement among the Judges in relation to it. We are going to have some four or five judgments. All of the Judges are presumed to be very eminent in their learning; on this subject no two of them entirely agree with each other, the effect of such disagreement in opinion will be to destroy very largely the confidence of the public in this Court. Looking at the question simply from a layman's point of view, I think that something ought to be done to prevent the rendering of dissenting opinions in that Court. The judgment of the Court ought to be the judgment of the Court as a whole. When you find the judgments of two learned Judges given, both judgments equally able, elaborate and apparently the result of painstaking investigation, and each in direct opposition to the other, the tendency in the public mind is to believe that, after all, the judgment of the Court is a mere accident not founded on any solid ground of reason. Under these circumstances, I should like very much to see the judgments of the Supreme Court made the judgments of the Court itself, and not the judgments of the individual Judges of that Court,

Mr. McCARTHY. The remarks that have just fallen from the hon. member for Cardwell have been heard before in this House, and I think we all agree in the sense and substance of these remarks. The Privy Council adopted the rule to which the hon. gentleman referred, not that all the Judges should agree, but that the opinion formed by the majority of the Court should be delivered by one Judge, so that the public would not be distracted by the conflicting opinions delivered by Judges who may be all equally eminent. However, I think it is premature to discuss this question now. We have a Bill introduced by the hon. member for Jacques Cartier (Mr. Girouard) which certainly is deserving of great consideration, and which, perhaps, meets the difficulty that is found in the Province of Quebec in regard to this Court, better than anything suggested elsewhere before. It is certainly an amendment that will deserve the consideration of this House when the time comes to adopt that Bill. What I have to say at present—and I shall ask the hon. Minister of Justice whether it is not the better course—that this debate be not adjourned. I think the majority of this House have no intention to repeal the Act constituting the Supreme Court. Although I quite agree that the complaints made against the Court should be heard here, still we have had those complaints already very recently before us, and the Court having, perhaps, acted on what has already been said here, there has been more celerity than hitherto in the judgments. The case referred to by the hon. Minister of Public Works is a case of much importance, involving a very large amount. The case, therefore, offered, perhaps, some excuse for the delay that has taken place in the delivery of that judgment. In the other cases judgment was to be delivered to-day, although they were only argued at the last sitting of the Court. After the discussion which has taken place, and hearing of the Bill of the important character proposed by the hon. member for Jacques Cartier, I submit, whether it would not be much better to at once discharge this order, and discuss, this Session, the amendment suggested in the Bill to which I have referred, with the view to seeing whether the Court could not be made more satisfactory to Quebec. I see that the reason that Province is dissatisfied is that the judgments of these two Judges, who come from their own Bar, are apt to be overruled by the majority of the Court. I certainly agree with the hon. member for West Durham, that there is no ground for supposing that all the learned Judges do not discharge their duty to the best of their ability, in deciding every case that comes before them. I think it would be better, under the circumstances, that this order should now be discharged.

Mr. BLAKE. I rise to second the view of the hon. member for North Simcoe (Mr. McCarthy). I think that, inasmuch as the Government, last Session, announced itself in favor of the maintenance of the Supreme Court, and declared as the hon. Minister of Public Works has declared more than once, that they were about to introduce the following Session a remodelling measure, thereby declaring the existence of the Court to be a necessity, and, inasmuch as the hon. Minister of Justice has declared that the Court is a necessity, the Government is putting that Court in a position in which it ought not to be put, by addressing supplicatory remarks to the hon. member for Montmagny to be pleased to suspend execution by consenting to an adjournment of the debate. Let us decide this afternoon whether we are prepared to abolish the Supreme Court or not, and if we decide that we are not prepared to abolish it, let us proceed to consider whether it can be amended.

Mr. LANDRY. Mr. Speaker, I understand that you hold a fresh motion, one to adjourn the debate. I would have gladly acquiesced in the wish of my hon. friends to suspend the debate for a few days; but, as a motion to adjourn the debate is brought forward, I understand that the motion asking for

Mr. WHITE (Cardwell).

the abolition of the Supreme Court loses its place in the Orders of the Day, and that it must necessarily come after the Bill of my hon. friend the member for Jacques Cartier. Under the circumstances, I agree entirely with the views expressed by the hon. member for North Simcoe (Mr. McCarthy) and the hon. leader of the Opposition, and I think that the question should be disposed of at once. For these reasons do I oppose the adjournment of the debate, and I hope that the House will at once express an opinion on the measure. I do not think I was quite understood by the hon. leader of the Opposition, when he pretended that the Province of Quebec objected to the Supreme Court merely because the judgments rendered by that Court were rendered by a single judge. What I intended saying was this: As the Supreme Court is actually constituted, the Province of Quebec is represented by two Judges, and I do not know if my opinion is correct, but at any rate I think with the Province of Quebec, and with the majority of the electors of the Province of Quebec, that those of the hon. Judges constituting the Supreme Court, who belong to other Provinces, are not as familiar with our Civil Laws as our people would like to see them be. Under these circumstances, the judgments rendered by the Judges are somewhat anomalous. For instance, a judgment rendered by the Court of Queen's Bench in Quebec, by a tribunal composed of five Judges, is submitted to the Supreme Court. In that Court there are two Judges who perfectly understand our Civil Laws, our old French legislation, and those two Judges are called upon to decide if the five Judges of the Court of Queen's Bench have been right or wrong in their judgment. Well, if that is not an anomaly, I do not know what the meaning of the word is. Now let us suppose that the two Judges of the Supreme Court do not agree; that one should hold an opinion different to that of the other. Well, then, the opinion of the five Judges of the Court of Queen's Bench will be repealed or confirmed by the opinion of a single one, for I understand that under these circumstances the opinion of the other Judges will be formed on that of the two Judges who in the Supreme Court represent the Quebec element. I think there is an anomaly there, and it was so well understood last year, that the Government could not but promise the House that it would this Session bring forward a measure that would improve the position of the Province of Quebec. And yet we do not see the Government come forward this year and bring forth any such measure. Another reason for which was asked the abolition of the Supreme Court was that it had the effect of destroying judicial centralization. That opinion was expressed in this House on the 27th March, 1875, when

Mr. Ouimet moved, seconded by Mr. Caron, That all the words after "That," to the end of the Question, be left out, and the words, "the effect of this Bill being,

1. Of virtually depriving each Province, in a very great proportion, of the administration of justice, the control of which is, by the Constitution, reserved exclusively to the Local Legislatures and Governments, at least in so far as relates to laws respecting property, and civil rights, and civil procedure in each Province:

2. Of removing that administration of justice to Judges indiscriminately taken and selected from the whole of Canada, whereas by the Federal compact the Judges of each Province, except the Province of Quebec, are to be selected from the respective Bars of those Provinces, so long as their laws remain unconsolidated; and as to the Province of Quebec, in particular, its Judges are always to be selected from among the members of the Bar of that same Province:

3. Of submitting the laws relating to property, to civil right, and to civil procedure in the Province of Quebec, the causes and the fate of citizens of that Province to Judges, who, for the most part, are strangers to their language, their manners, their usages, and their customs, to the origin of their codes and to the numerous commentators thereon, and to the practice of their courts:

4. Of substituting and attributing to the said Supreme Court the management and control of matters which are not common to the whole country, That it is inexpedient to create a Court of Appellate Jurisdiction in cases involving questions relating to property, to civil rights, and civil procedure," inserted instead thereof.

There you have another inconvenience in connection with the Supreme Court, and yet no one opposed the reason I

gave just now. Several hon. members have manifested their sympathy for the Supreme Court. The hon. Minister of Justice himself has thought it necessary to refute my speech by extolling the abilities and the laborious spirit of the hon. Judges. I have never denied their laborious spirit. On the contrary, I am ready to admit that the hon. Judges who occupy the position of Judges of the Supreme Court of the Confederation are unexceptionally able and extremely laborious men; they are perhaps not killed by work, but at any rate they are up to the mark, and know how to fulfil their duties. And this reminds me of what was said last night in this House by the hon. member for L'Islet (Mr. Casgrain). Were I allowed to repeat his words I would do so. I would say that for \$3,200 one cannot find first-class men, but I think that for \$7,000 first-class men can be found. I will, therefore, vote against the motion asking for the adjournment of the debate. I would have been ready to suspend the reading of the Bill, but as this new motion rejects my Bill and places it on the Orders of the Day, where I would not like to see it relegated, I will vote against the motion asking for the adjournment of the debate.

Mr. HOUDE. After what has fallen from the lips of the hon. member, to the effect that he is ready to suspend his motion until the Bill introduced by the hon. member for Jacques Cartier has been taken into consideration by the House, I have no objection to withdraw my motion.

Mr. LANDRY. I think that the hon. member for Maskinongé has not well understood me. I never said that I was ready to suspend my motion on condition that my Bill should be discussed after that of the hon. member for Jacques Cartier. There is before the House a motion to adjourn the debate; the effect of that motion is to reject my Bill after that introduced by the hon. member for Jacques Cartier. The present Order of the Day places as No. 4 the item which we are now discussing. The motion for an adjournment would result in relegating me after item No. 14, and that is what I do not wish. I desire that in the Orders of the Day for to-morrow and following days the Bill that I have the honor of introducing to this House should occupy the place which it occupies to-day, and that it should consequently come before the debate on the Bill of the hon. member for Jacques Cartier.

Mr. LANGEVIN. I understand that the hon. member for Maskinongé suggests the withdrawal of his motion, and in that case the hon. member for Montmagny will withdraw his own. This motion being withdrawn, the Orders of the Day will remain in *statu quo*, so that the hon. member for Montmagny will not lose the place he occupies on the Orders of the Day.

Mr. OUMET. I am disposed to vote for the motion to adjourn the debate, or for any that will leave this matter before the House till the Bill of the member for Jacques Cartier (Mr. Girouard) is disposed of. Having opposed the Supreme Court Bill when first presented, I have come to the opinion, as I stated last year, that a Federal Supreme Court is a necessity of our system for the final disposal of all matters belonging to the jurisdiction of this Parliament. But I do not believe this Court ought to meddle with matters belonging to the jurisdiction of our Provincial Legislatures, unless its constitution be made satisfactory so as to give the Judges of Quebec the disposal of the cases that come from that Province. For instance, as the Government intimated last year, if the Court were reconstructed so as to have enough Judges from our Province to form a quorum for the decision of Quebec cases, in this case I would say that a large Supreme Court here would be very useful, a large centre of legal ability and learning of a nature to facilitate the assimilation of our different provincial laws, and which would have a great

influence on even the civil law legislation of each Province. As the hon. member for West Durham said the other day, the Civil Law of Lower Canada is certainly superior to that of any other Province. On the other hand, the practical mind of our English fellow citizens has taken the lead in a great many modern matters in our late Civil Law. I think it would be possible, by bringing in contact legal men of the different Provinces, to exert a strong influence in the direction of the assimilation of the legal systems and legislation of the different Provinces, even in civil matters. I think this would be a great improvement, but one we cannot expect so long as the constitution of the Superior Court be not amended. The Court is an absurd one, not on account of its Judges, but of its constitution. The Judges of the Superior Courts and of the Courts of Appeal are generally the best lawyers and Judges procurable; but that is not a sufficient guarantee. The guarantee which a proper Court of Appeal gives is the number of its Judges. When five Judges sit to review the judgments of, say one Judge, you will say that the five heads have more knowledge and experience than the one. At least the superior number is the only guarantee of the fact. What have we now? As regards the Province of Quebec, we have but two Judges in the Supreme Court to review the judgments of five Judges in the Provincial Courts. And as regards Ontario and the other Provinces, the *Law Times* has just published an instance of what occurs before the Superior Court. A judgment had been rendered by the different Courts of Ontario, I think all the Judges being unanimous. What happened? The judgment was reversed in the Supreme Court by three Judges, two of whom were from Quebec and one from New Brunswick. Are the gentlemen of Ontario now satisfied with the jurisprudence of this Court? I should say they cannot be. The member for West Durham says that the duty of the Judges of this Court, from Ontario or New Brunswick, is to master the laws of the different Provinces, and to discharge their duty to the best of their ability. That, however, is not a sufficient guarantee to the suitors. Why? The law requires that the Judges of Ontario, Quebec or New Brunswick, be lawyers of at least ten years standing. Well, these Judges from Ontario never learned or practised our Quebec laws, in respect of which they are to decide any cases brought before them. It is absurd to expect that those Judges can, by merely opening our Civil Code, or any of our French books—some of them do not understand or read French—can understand our law. I, therefore, say the constitution of the Court is vicious and absurd. I will vote for its maintenance if properly remodelled. I am even disposed to allow to it final appeal in civil cases, if it is reconstructed so as to give us the guarantee possessed through our Provincial Courts of Appeal. As to the general complaints against our Quebec judicial system, I think it would be very important to consider them, and that it would be well if our different Provincial Governments and best lawyers came together to create a Commission to examine the different systems, and take from anyone what is best fitted to amend the others—to try not only to remodel the judicial systems of the different Provinces for themselves, but in relation to the constitution of this Supreme Court. That might render a great service not only to the Provinces, but to the Dominion itself, should a good report be made and acted upon by the different Legislatures. Such a Commission has been proposed by the whole Bar of Montreal and the Province of Quebec. The Federal Government was asked to share in the expense, the Government of Quebec not being very rich. The proposal was refused, for what reason I do not know, but I think it was an improper refusal. We should reconsider our Provincial judicial terms in relation to the constitution of the Superior Court, so as to arrive at some regular system and not to rest satisfied with an absurd Court as the present. Well, Mr. Speaker, to wind up my remarks, I

will only say that I am disposed to vote for the existence of this Court if it is properly reconstructed, but if it is not, I am disposed to vote against it as I have before.

Mr. STRANGE. I venture, as a layman, for a moment or two, to trespass on the attention of the House, because, when I was before the electors, I found that the question under discussion was one of great importance in the mind of almost every elector. It was felt that the Courts of this country were more than the requirements of the people demanded. It was felt among my own constituents—and I believe it is felt among the constituents of other hon. gentlemen—that the expenditure necessarily involved in the maintenance of these Courts was more than the resources of the country could well tolerate. The question was put to me whether, in the event of this question coming before the House, I would apply myself towards favoring the repeal of the Supreme Court Act. I took the ground that we have in Ontario a Court of Appeal to which any cases from the inferior courts might be referred, and that in my opinion—an unprofessional one, of course—so far as that Province was concerned, the Supreme Court was unnecessary, and therefore, that I should have no hesitation in voting for its repeal. I believe, Sir, that on this question, as on every other question before this House, the popular will ought to be supreme. Lately we had a very important question before this House and before this country, and hon. gentlemen occupying the highest positions in the House have asserted that the popular will ought to control that question irrespective of Parliament. Well, Sir, here is a question—the question of the repeal of the Supreme Court Act—upon which, I believe, if the electors had an opportunity of pronouncing upon it next week, they would, by a vote of five to one, declare that the Court should be abolished. I have, therefore, no hesitation in saying that if we are to have a vote as to whether the Court shall be continued or abolished, I shall vote for its abolition.

Mr. MACDOUGALL. After the remarks of the hon. member who has just taken his seat, I feel it necessary to say a word or two with respect to the subject now before the House. I do not agree with my hon. friend from North York (Mr. Strange) in his interpretation of the will of the people upon a question of this character. I have had some little experience for now some thirty years in discussing, through the press and as a member of Parliament, public questions of great concern to the people of this country, and the conclusion I have arrived at with respect to technical questions of this kind—questions of administrative or of political machinery—is, that it is absurd to say that the will of the electors—as it may be expressed in conversation, or at public meetings called by political candidates—is hardly the true will of the people with respect to questions of that kind. We must admit that this is a technical question. The Supreme Court is a part of the machinery for the administration of justice in this Dominion. The framers of the Constitution wisely, as I believe, provided for the establishment of a Supreme Court—a Court of final appeal from the other Courts of the several Provinces of the Dominion, and, so far as my recollection enables me to judge, I think that was regarded as a very important provision in the Constitution. Indeed, it seems to me that the Constitution would be imperfect, that it could not be satisfactorily or successfully worked, unless we had within this country machinery under our own control to dispose of litigated questions, especially those involving the interpretation of the laws of this Parliament, and of the Local Legislatures when they may come in conflict—constitutional questions, questions of the interpretation of the laws of the Dominion, or questions arising upon matters in which this Parliament has exclusive control. It seems to me that, whether you would call it by the name of a Supreme Court or any other

Mr. OULMET.

name, there must be a tribunal which has power, under the law, to determine finally the meaning, the true interpretation of these laws, and of settling questions which spring up in the course of their administration. For my own part, when the Supreme Court was first constituted I felt that a better system might have been devised. As a member of the Government of that day, I was strongly of opinion that a simpler plan might have been resorted to. Under the circumstances, I thought we might have constituted a Court, composed of the Chief Justices of the various Provincial Courts, to assemble at Ottawa, as the most convenient and central point, for the purpose of considering and determining questions of a constitutional character. It seemed to me that that would be a very high court, that it would lead to the very result which my hon. friend beside me pointed to as a desirable result, uniformity in the laws of the civil and criminal jurisdiction of the Provinces; for it is certainly a great contradiction that when we pass over the boundary between one Province and another, we find a different system of laws regulating the ordinary affairs of life. A person removing from one Province to another—and every man must be a lawyer to some extent—finds an entirely new set of laws, and therefore it occurred to those who discussed this question at the time of Confederation, that that was a result to be aimed at—to secure as far as possible a uniformity of law with respect to the civil rights of the subject in all the Provinces of the Dominion. A provision was made in the Constitution for bringing about that result. No action has, so far as I know—

Mr. GIROUARD (Jacques Cartier). Quebec was excepted under that Act.

Mr. MACDOUGALL. Yes; I know there was, but it was hoped that even in Quebec—and I am glad that hope was justified by the remarks we heard from an eminent gentleman in this House from that Province—it was hoped, I say, that even the civil system of Quebec was capable of improvement, and that whatever improvement might take place—and I think the hon. member for Jacques Cartier (Mr. Girouard) uttered sentiments of that kind—would be in the direction of the adoption of these reforms which have taken place in the English system. As was said, we are living in a modern period; many new questions have arisen; many laws are now in force in the Province of Quebec which never entered into the minds of the juriconsults of Rome or Paris. We are necessarily assimilating in our habits of thought and our habits of life. Therefore, I say it was a wise provision which looked to the assimilation of the laws of the different Provinces, though out of respect to the tender feelings of the Province of Quebec and their civil system, the framers of that Act did secure to the people of that Province that exception in their favor, which they prize so highly. But, looking to the future, it seems to me that it is desirable to frame a system of jurisprudence which will tend as far as possible to bring about the uniformity to which I have referred. The Supreme Court is a very able Court I think. Some of the judgments rendered by these gentlemen, not previously acquainted with active politics, not accustomed to consider questions of politics in the way that members of Parliament must necessarily consider them, show that they have grasped the spirit as well as the spirit of the Constitution, and they have laid down fundamental principles with great perspicuity and great accuracy with respect to the interpretation of our Constitution. There may be other Courts which would have arrived at the same result in the manner in which this Court has done; but, at all events, it is an established Court. It is one of the institutions of the country; and I regret that members of this House—I will not say in a spirit of levity or indifference to the settled institutions of

the country—but that they have, at all events, put motions on the paper contemplating the abolition of one of the most important of these institutions. I think it is to be regretted that members of Parliament should not consider the effect of action of that kind. It weakens the authority of the Court, it raises suspicion in the minds of the people, for this House to enter into discussions upon a proposition that there is something wrong, that there is something vicious in the very principle upon which that Court is founded, and that it is an unnecessary expense to the people. It is in that view the hon. member for North York, I have no doubt, has considered it, and it is upon that ground that the objections he has made have chiefly been levelled. The spirit of economy we know prevails much in times of election, and here is an expensive institution that did not exist at Confederation, and the question is asked, is it necessary? Lawyers even say it is unnecessary; lawyers in Ontario say that there is in that Province a Court of Appeal, a very high Court, composed of very able Judges, that is sufficient for the final determination of questions that arise in that Province. In Quebec there may not be the same confidence—I do not know how that may be—but I have observed some discussion indicating that there was not the same confidence in the ability and in the judgments of the Superior Courts of that Province. But I object, for one, to any action which implies an opinion in this House that the Supreme Court is not a desirable institution—unless that opinion really thus prevails; but I do not believe it does prevail. I do not believe that upon discussion it will be found that a majority, or that a large number of members have made up their minds that this Court ought to be abolished. Therefore, I think it is undesirable that we should have such motions, that we should entertain them at all, unless we are prepared seriously to entertain the proposition of abolishing the Court. Of course, that would be a very short process; but are we prepared to substitute something in its place? We cannot, according to my view, considering the circumstances in which we are placed, carry on the affairs of this great Dominion without an ultimate tribunal of appeal upon questions of a constitutional character, and upon the laws of this Parliament, that may arise. As for the motion which my hon. friend for Jacques Cartier has upon the paper, it is a very proper one. That does not indicate a desire to extinguish the Court; it is in the direction of amendment, and I believe that Court is susceptible of amendment. I believe that in the direction which has been pointed out by my hon. friend for Laval (Mr. Ouimet), some amendment may very properly be made. It does seem, on the face of it, rather absurd to appeal from the judgments of a Court of five Judges, especially upon questions arising out of the Civil Laws peculiar to the Province of Quebec, to a Court of six Judges, only two of whom have any real knowledge or acquaintance with the principles of those laws. It seems more absurd still when an appeal is taken from the judgments of Courts in Ontario, that in this Court, although the two Supreme Court Judges from Ontario may concur, that their judgment should be overborne by the opinions of the Judges from the other Provinces who are not familiar with the laws of Ontario.

Mr. BLAKE. What about the Judicial Committee?

Mr. MACDOUGALL. My hon. friend may think that one evil is justified by citing another.

Mr. BLAKE. We have that alternative.

Mr. MACDOUGALL. I think that distinguished lawyers and writers upon the judicial systems of England and other countries, have not hitherto expressed the greatest satisfaction with the constitution of the Judicial Committee. But this is to be said, the Judicial Committee of the Privy Council in England is a very learned body; it is composed

of men of very large experience, of very extensive knowledge of other matters than law. They are for the most part statesmen, they are for the most part men who have filled high positions. The Judicial Committee is composed of men who understand languages; they can hear arguments in French, and they are familiar with the laws of France at the present time. From their high position, from their great attainments and experience, they are probably the best qualified of any body of men that could be found for investigating in an enlightened manner the learned and exhaustive arguments that may be presented to them; and they have plenty of time to consider them, and they give a decision which is final and to which we must submit.

Mr. OUIMET. They render judgment in French.

Mr. MACDOUGALL. I do not think we can compare any Court that can be established in this country with the Judicial Committee of the Privy Council. I have had occasion to read one or two of their judgments on one or two points of law which have arisen from questions coming from the East Indies, and their familiarity with the laws of that country, the exactness with which they cited laws in both the French and English languages, and the great learning displayed in their judgments, filled me with astonishment. But, although these men are great men, I do not think the suggestion of the hon. member for West Durham is a sufficient answer to the point I was making. But coming back to the question before the House, I would ask hon. members to consider the effect of keeping a motion of this kind upon our Order paper. I think it is unfair to the Court, unfair to the country, and to the institutions of the country, to have this standing reproach every Session made against one of our most important institutions. If the Court is defective it ought to be amended, and this discussion will not have been useless if it induces the Government to take up the question, and to consider in what direction and to what extent modifications may be made in this Court in order to make it satisfactory to all parts of the country.

Mr. McCUAIG. Speaking entirely in a practical sense, the opinion entertained by the majority of the inhabitants of the county I represent is this: We have a Supreme Court composed of six men, two from Ontario, two from Quebec, and two from the Maritime Provinces. As I understand the matter, the two Judges from Ontario are not at all familiar with the laws of Quebec, while the two Judges from the Maritime Provinces are not familiar with the laws of either Ontario nor Quebec. Now, in Ontario we have an Appeal Court, composed of four Judges of high legal attainments, and well qualified to decide finally upon most every case that comes before them. But a case taken from our Court of Appeal, presided over by four of the best Judges of Ontario, may be taken to the Supreme Court, and their judgment overruled by the four Judges from Quebec and the Maritime Provinces, not at all familiar with our laws. That is not at all calculated to create any confidence in the decisions of the Supreme Court. I am told that in Quebec the Court of Appeal is composed of five Judges, and they are certainly better qualified to decide according to the laws of that Province than the four Judges of the Supreme Court can be who come from the other Provinces. The dissatisfaction with this Court is not on account of its expense, but that the people want an ultimate Court of Appeal composed of men whose judgments will carry confidence in their justice. There are only two Judges on that Court familiar with the laws of Ontario, yet their judgment may be overruled by the four Judges from the other Provinces. It is not only members of the legal profession who have doubts as to the ability of this Court, but the inhabitants generally have not that confidence in the decisions of this Court which those decisions ought to inspire. Now, I contend that it might be very proper that all cons-

stitutional questions should be submitted to this Court once a year, and for that purpose a Court could be constituted much less expensive and composed of men of great ability and attainments drawn from the Appeal Courts of the various Provinces. If these Judges came together at the Capital once a year to determine our constitutional questions alone, I believe it would be more satisfactory to the country at large and save a large amount of money.

Mr. BRECKEN. I entirely agree with the remark of the hon. member for Halton (Mr. Macdougall) that it is a matter of regret that Session after Session a measure like the one proposed by my hon. friend for Montmagny should be brought into this House, because it is assailing one of the highest institutions in our country. I also agree with the remark that without a Supreme Court for the Dominion our Confederation would be incomplete. There is no doubt that many hon. members from Ontario feel that their local judiciary is quite sufficient to dispose of all questions that come before it, and I can feel the force of the objections urged by hon. members from the Province of Quebec that the judiciary in that Province, composed of men who are trained to understand the French Code, is perhaps a more reliable tribunal to decide questions arising under their system of jurisprudence than some of the Judges of the Supreme Court. But, speaking from the standpoint of the Maritime Provinces, I may say that there is no more popular institution in the Dominion of Canada than the Supreme Court. There are questions frequently arising of a Dominion or a national character, that can only be competently decided by a tribunal of that kind. I know that in the case of Prince Edward Island, when the celebrated land question came up—though we have a very able and honest and independent judiciary in that Province—had it not been for the Supreme Court, Prince Edward Island would to-day be still burdened by a system of landlordism. I merely mention this as an illustration of the benefits derived from the existence of the Supreme Court. I do not mean to say that this Court is not capable of amendment. I know that it is a source of difficulty in establishing a Supreme Appellate Court, that we have in this country two divers systems of jurisprudence. I regard this agitation as a misfortune, because, although the people, if they are not satisfied with their representatives can send them about their business. When you place distinguished and learned gentlemen on the Bench, and trust to their decision in matters affecting the highest welfare of the people, that tribunal ought to be above suspicion; and when the representative of a large and influential constituency stands on the floor of this House and impeaches, not the honor but the ability of the Judges of that Court, I think he is likely, though unintentionally, to do a great deal of harm. I, therefore, hope this Bill, which was so strenuously and honestly advocated by an hon. member who is now no more, will be withdrawn by the hon. gentleman who has taken his place.

Mr. WELDON. The hon. gentlemen who have spoken on this subject are chiefly from Ontario and Quebec. Our position in the Maritime Provinces is somewhat different. Other Provinces have their Courts of Appeal, but in the Maritime Provinces, prior to the establishment of the Supreme Court, we had no Court of Appeal, and we were obliged to go to the Imperial Privy Council. But the expenses of going there were so enormous that they practically, in a great many cases, prevented appeal. One feature of the scheme of Confederation, therefore, was that the Supreme Court was to be established for the Dominion, and its establishment has already produced beneficial results, so far as the people of those Provinces are concerned. A good deal has been said with regard to the difficulty connected with these Judges at Ottawa reversing the decisions of the Judges of the Courts of Appeal in Ontario and Quebec, contrary to the opinion of the majority of the

Mr. McCuaig.

Judges in those Provinces. If we turn to the House of Lords, the highest appellate tribunal in England, we find that they have sometimes reversed the decisions of lower Courts, contrary to the opinion of the Judges. The House of Lords was the Appellate Court from the Scottish Courts, although for a long time none of the members were acquainted with the Scottish law, and although the same objection was raised against them on that account as is now raised against the Supreme Court with regard to cases from the Province of Quebec. During the last few years great changes have taken place in the Courts in England, yet the right of appeal to the House of Lords has never been questioned. The same may be said with regard to the Privy Council. It is true, as the hon. member for Halton says, they are men of learning and ability, and a very large body. But practically, we find but four members deciding appeals from the Colonial Courts, although their knowledge of Colonial Civil Law must be much less than that of the Judges of the Supreme Court of Canada. It is very important that we should have some tribunal from which we can obtain uniform decisions on constitutional points respecting the different Provinces. We have found the Courts of Nova Scotia, New Brunswick and Ontario adopting different views on certain questions; and in that case it is essential that there should be some Court which would be a final Court of Appeal in the Dominion, whose decisions would be binding on all the Provinces. I regret that a discussion on the Supreme Court is continually coming up, because it tends to impair the usefulness of a very valuable institution. If there are defects they can be removed. But this institution, which I regard as one of the bases of Confederation, provides an opportunity for the people, particularly in the Lower Provinces, to have their appeals determined at far less expense than they could under the old system.

Mr. MILLS. We have had this measure before the House, I think, at every Session since the last general election, and in every instance it has been supported by some gentlemen on the Treasury benches. On the present occasion the Minister of Public Works has himself expressed very great dissatisfaction with the Court, and he is satisfied that in the country the people are almost universally dissatisfied with it. I think the hon. gentleman is mistaken; but I think the line taken by him is calculated to produce precisely the condition of things which he professes to deprecate. And, in my opinion, a more unfortunate course could not well be taken than the one that has been adopted by the hon. gentleman, and some other hon. gentlemen in this House, who constantly attack this Court, no matter how able the gentlemen on the Bench, no matter what industry and attention they may give to every question before them. If hon. gentlemen make it a point every Session to criticise, and to criticise in a hostile spirit, the conduct of the Court, there can be no doubt whatever that in time they will succeed in making a considerable section of the people of the country dissatisfied with its decisions. I do not quite agree with some observations made by the hon. member for Laval, and by the hon. member for Halton. It seems to me they have taken a Colonial Office view of the position of the judiciary of this country. I am not willing to admit that gentlemen occupying seats in the Supreme Courts of Canada are inferior to gentlemen who occupy seats in the Judicial Committee of the Privy Council. In my opinion, Sir, the people on this side of the Atlantic come into this world with an intellectual capacity quite equal to the intellectual capacity of gentlemen on the other side, and it seems to me the judicial training they receive, and the attention they are called upon to give to the consideration of legal questions in adjudicating upon them, serves to discipline their minds and fit them for the discharge of their duties as Judges quite as well as does the training of hon. gentlemen who sit on the Judicial Committee of

the Privy Council. Then the hon. gentleman expressed his astonishment at the extraordinary legal knowledge possessed by these gentlemen. But, Sir, how did they become possessed of it. The members of the Judicial Committee of the Privy Council, when a case is appealed to them from the Province of Quebec, are obliged to consider the Civil Law and the customs of the Province in relation to the particular case before them. In a case brought from India, it may be the Mahommedan law which they are called upon to administer. If they display a very considerable knowledge of different systems of jurisprudence in the exercise of their judicial functions it is simply because the laws of every country are founded on the broad principles of natural justice. There is very little difference when you examine the first principles of jurisprudence whether you look at them in the old Roman law, the modern Roman law, or the English common law. Everywhere they are the same. The distinguished gentlemen who are called upon to adjudicate upon questions coming from India, from Lower Canada, or from other of the Colonies, before they become members of the Judicial Committee of the Privy Council acquire a special knowledge of English law and equity which they are called upon to administer while they are upon the Bench. The training which they receive in the administration of the law of their own country prepares and fits them for the consideration of the laws of other countries which they are called upon to administer. There is no doubt that precisely the same effect will be produced in the Supreme Court here. Hon. gentlemen of the Bar of Halifax, of the Bar of New Brunswick and of the Bar of Ontario, when appointed to seats upon the Supreme Court Bench here—when they are called upon to consider questions involving principles of the Civil Code—will bring to bear their legal training and discipline in the consideration of legal questions arising under that Code. They are, in my opinion, likely to administer justice quite as fairly as those who have had special training in the law they are called upon to administer, and in that system alone. In fact, I believe it is an advantage to gentlemen who are called upon to administer one system of jurisprudence to have a previous knowledge of some different system. I believe they take larger and more comprehensive views. There can be no doubt whatever that the knowledge gentlemen in the Supreme Court have of English common law, and of the English system of equity jurisprudence, will be no detriment in the administration of Roman civil law in cases coming up from the Province of Quebec. We know that what we know as Roman law originated in this way. What is now called Roman law, is not the old Quirinal law, but a system of jurisprudence derived from the *jus quotienne* as administered by the Republic and the Empire. The hon. member for Halton spoke about the provision which authorizes Parliament here, with the consent of the Provinces, to establish uniform laws relating to the question of property and civil rights. That was a principle introduced into the Constitution at the time the Constitution was framed by those who favored a Legislative Union. It provides, if the principle is once adopted, that the right to legislate on the subject of property and civil rights shall no longer be vested in the Provinces, but in the Government here, and I do not think it is at all to be deplored that that provision of the Constitution has never been acted upon. On the contrary, I see no necessity for having a uniform system of procedure in the various Provinces. Everywhere the law will grow up and adapt itself to the wants and necessities of the community. The very object of having Local Legislatures is to enable them to adjust the laws with greater efficiency to local requirements; and if a Statute in the same words in the Province of New Brunswick is found to be differently interpreted from the provincial Statute of Ontario no inconvenience can arise from it. But there would be a great inconvenience if we had no common

tribunal for the purpose of interpreting the laws of Canada. If you found one construction placed upon a law of Canada in Ontario, another in Quebec, and a third in the Maritime Provinces, great inconvenience would arise. The people would not know what the law was. The same law, intended to work uniformly in the entire country, would be differently interpreted in the different Provinces. I remember very well, a few years ago, that there was a Statute in the Province of Ontario, requiring the registration of judgments in certain cases. That law was construed in one way in the Court of Common Pleas, and in a different way in the Court of Queen's Bench. Great inconvenience would arise from a practice like that if there was no common tribunal giving a uniform interpretation to the law. For that reason, under a Federal system of Government you must have a supreme tribunal for the purpose of finally interpreting the Federal law, and I believe you have in the Supreme Court a very satisfactory tribunal. I think, considering the circumstances under which it was constituted, that it is a matter of surprise that the Supreme Court has worked as satisfactorily as it has so far. In a few years you will have a wholly different state of things to that which you had in the first instance. That there should be some difficulty and some friction is not a matter of surprise, but we can easily produce great mischief to this Court, and great mischief to the country, by attacking the Court every Session. The hon. member for Laval has spoken of the impropriety of having matters relating to the laws of the Provinces referred to the Supreme Court. I never entertained any other opinion on that question. According to the 101st section of the British North America Act, this was to be a final Court of Appeal for Canada, not for the Provinces. I never saw any impropriety in making it a Court of Appeal for the Provinces. If we recognize the principle well laid down by Mr. Chancellor Kent in his commentaries, that it is desirable to arrive at a final conclusion as soon as possible, and that greater mischief is done to the community by numerous appeals than by a wrong judgment occasionally being given, I think the highest Court of each Province ought to be the final Court of Appeals for the affairs of that Province. But the same objection that lies against the Supreme Court as a Court of Appeal in Provincial cases lies in a stronger degree against appeals to the Judicial Committee of the Privy Council. The hon. gentleman who proposes to withdraw provincial matters from the consideration of the Supreme Court ought to be consistent, and insist further on the withdrawal from the consideration of the Judicial Committee of the Privy Council. I am opposed to the postponement of this discussion, I am opposed to keeping this question in suspense, I am in favor of seeing a vote taken, and if a majority of this House are in favor of the abolition of the Supreme Court the sooner we know it the better; and if not, as I believe not, the question ought to be disposed of, and mischief ought not to be done by inviting opposition and arousing discontent in the country.

Amendment (Mr. Houde) to adjourn the debate, negatived on the following division:—

YRAS:

Messieurs

Abbott,  
Allison,  
Baker,  
Barnard,  
Beauchesne,  
Béchar, d,  
Benoit,  
Bergeron,  
Bill,  
Bowell,  
Brecken,  
Caron,

Hay,  
Hesson,  
Hooper,  
Houde,  
Hurteau,  
Kaulbach,  
Kilvert,  
Kranz,  
Langevin,  
Lantier,  
Laurier,  
Macdonald (Sir John),

Massue,  
Mongenais,  
Mousseau,  
O'Connor,  
Ogden,  
Onimet,  
Platt,  
Pope (Compton),  
Richey,  
Robertson (Hamilton),  
Rochester,  
Ross (Dundas),

Casgrain,  
Cimon,  
Costigan,  
Coursol,  
Daly,  
Daoust,  
Desaulniers,  
Drew,  
Elliott,  
Fitzsimmons,  
Gault,  
Girouard (Kent),

McDonald (Pictou),  
McDonald (Vict., N.S.),  
McConville,  
McCuaig,  
McInnes,  
McKay,  
McLennan,  
McQuade,  
McRory,  
Malouin,  
Manson,  
Masson,  
Rouleau,  
Royal,  
Ryan (Montreal),  
Scott,  
Shaw,  
Stephenson,  
Strange,  
Tassé,  
Tupper,  
Wallace (York),  
White (Cardwell),  
Williams.—72.

## NATS:

## Messieurs

Anglin,  
Arkell,  
Bain,  
Bannerman,  
Beaty,  
Bergin,  
Blake,  
Borden,  
Bourassa,  
Bourbeau,  
Brown,  
Bunting,  
Burnham,  
Burpee (St. John),  
Burpee (Sunbury),  
Cameron (Victoria),  
Cartwright,  
Casey,  
Charlton,  
Cockburn (Muskoka),  
Golby,  
Goughlin,  
Coupal,  
Cuthbert,  
DeCosmos,  
Domville,  
Dumont,  
Farrow,  
Fleming,  
Flynn,

Fortin,  
Geoffrion,  
Gillies,  
Gillmor,  
Girouard (Jac. Cartier),  
Grandbois,  
Gunn,  
Guthrie,  
Hackett,  
Haddow,  
Haggart,  
Hilliard,  
Holton,  
Killam,  
King,  
Landry,  
Lane,  
LaRue,  
Macdonell (Lanark),  
MacDonnell (Inverness),  
Macmillan,  
McCarthy,  
McDougall,  
McIsaac,  
Merner,  
Méthot,  
Mills,  
Montplaisir,  
Muttart,  
Olivier,  
Paterson (Brant),  
Patterson (Essex),  
Pickard,  
Pinsonneault,  
Plumb,  
Rinfret,  
Robertson (Shelburne),  
Rogers,  
Ross (Middlesex),  
Routhier,  
Rykert,  
Rymal,  
Scriver,  
Skinner,  
Smith,  
Sutherland,  
Teller,  
Thompson,  
Trow,  
Valin,  
Vallée,  
Vanasse,  
Wallace (Norfolk),  
Weldon,  
Wheeler,  
White (Hastings),  
Wiser,  
Wright,  
Yeo.—89.

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

## AFTER RECESS.

On the motion for the second reading of the Bill,

Mr. VALLÉE. Mr. Speaker, the question now before the House is so important a one that I consider it my duty to say a few words in explanation of the vote I am about to give. The question is not a new one; it has several times come up before the House, which has already given its opinion and has made known its views on the subject; and we must infer from the votes cast, and from the debates that have taken place in this Parliament since 1878, that the opinion of the country, as manifested in the speeches of the representatives of the various Provinces, is certainly opposed to keeping up the Supreme Court such as it is constituted to-day. Last year, I cast my vote against the passing of the Bill, upon the Government declaring that it would this year meet us with fresh legislation on that point. But we have not had that legislation, and it is not even promised to us. I, therefore, do not consider myself bound any longer by the engagement I made last year, whilst voting against that Bill; and to-day I resume the position I occupied towards the electors of my county, when I came before them to ask them to honor me with their trust, and when I explained my political programme. Then, Mr. Speaker, as now, my opinion was against retaining the Supreme Court. I bound myself before my electors and before the country to labor in this House to abolish that Court, which I consider to be not only useless but dangerous to the institutions established by the Act of Confederation. The question is not one of party; it is not a matter of supporting or countenancing friends; a more grave and serious question is at stake. We have certain institutions; we are a nation placed under exceptional circumstances; we have certain rights and privileges; we have local  
Mr. HOUDÉ.

institutions; we have Federal institutions, and each has its powers within its limits. But the Canadian political world naturally follows the ordinary motion of the world; the strongest wants to lord it over the weakest, or rather the strongest will end in lording it over the weakest, i.e., the Federal system will end by taking away all the rights we enjoy as citizens of the Provinces, by taking away all our special and defined privileges. If there is an institution that is likely to cause us some anxiety; if there is an institution that is likely to threaten us with a change which I do not wish to take into consideration at present—and that I hope never to have to take into consideration during my life, for I hope that it will not take place—it is the Supreme Court. I maintain that the Supreme Court is a great danger to the privileges which we have preserved since Confederation. It will be enough, Mr. Speaker, for me to quote a single instance. Since the Supreme Court has been established, a question has arisen before our tribunals and our public meetings, viz., the contestation of the constitutionality of each Act introduced in and passed by our Local Legislatures. That tribunal has, since its constitution, sought to concentrate into its hands and under its direction all judicial administration; that tribunal has even sought to curtail local power, and has attempted to put into the hands of Federal authority the greatest amount of executive power possible. This has been apparent in several instances; it has taken place in all the Provinces. Has not every Provincial Act of any importance been impugned and appealed against before the Supreme Court; some have been confirmed, others quashed. I maintain that therein is a danger which is increasing daily, for general and private interests will always join issue. Nowadays it is left to the Supreme Court to decide these questions. Nowadays it is no longer, as stipulated in the Act of Confederation, the Minister of Justice or the Governor-General, who have alone the right to sanction or to annul the Acts passed by Provincial Legislatures. The power thus conferred is a very great one, yet it is conferred by the Act of Confederation. At present, this power is duplicated; not only are the Acts of Local Legislatures controlled to-day by the Federal Executive, but they are controlled by a strangely different power, one that is not subject to the approval or the disapproval of the body of electors, and which is independent in its action, and from which there is no appeal. This new tribunal is the Supreme Court, which has to-day the power of deciding the legality or illegality of laws passed by the Provincial Legislatures. I repeat that therein lies no inconsiderable danger, and I remember that during the debate that has taken place on this question, several speakers, abler than myself, showed all the dangers inherent to such an institution. I will, therefore, abstain from enlarging on that point. This is one of the reasons which will cause me to vote in favor of the Bill introduced this evening. But, Mr. Speaker, there is still another reason, and it is that of economy; this is a serious question. Whenever we seek to aid in the progress of the country; whenever we wish to develop the resources of the Dominion of Canada; whenever we ask for various improvements, we are met with the objection that the Budget is already too heavily taxed, that the expenditure is already too considerable. It is a well-known fact in this House and elsewhere, that when important and practical improvements are in question, the public Treasury is always discovered to be too poor and not sufficiently replete with funds. But, Mr. Speaker, when it is a matter of establishing new courts of law, or of increasing judicial expenses, there are always enough funds in the Treasury; the resources of the State are ever equal to this increase of expenditure, and for the past few years a considerable increase is noticeable. I do not blame any particular Administration for this; it is a general censure that I am passing; it arises from a want of attention on

the part of our legislators, who, without being aware of it, vote year after year amounts which burden the Budget to a considerable extent. Now the Supreme Court of Canada absorbs annually about \$50,000 of the Budget of the Dominion, and I do not, Mr. Speaker, think that we require it at present. What is the need of this Supreme Court, which costs so considerable an amount, and which does not give satisfaction to the Canadian people? Why has there been such a hurry to establish this tribunal, when a short time before a Ministry thought it unnecessary to introduce a Bill instituting the Supreme Court? I am of opinion that the creation of this Court took public opinion by surprise, that it was a surprise for the body of electors, that the Supreme Court was established to meet party views, and rather as a method of patronage than to meet the wants of the people. At the time that Court was established, we could have dispensed with it. Up to that time, the affairs of the country had been well administered; the Acts of the Local Legislatures were controlled by the Federal Executive, and the few questions in dispute, now submitted to the Supreme Court, could be decided by the ordinary tribunals of the country. I wonder also why expenditure should be incurred to keep the Supreme Court, when we can appeal to a tribunal which does not cost Canada anything. I refer to the Judicial Committee of the Privy Council in England. We have there at our disposal a Supreme Court of Appeal, which does not cost us anything, whose decisions have ever been accepted and have been ever entitled to respectful consideration. Nothing prevents us from taking thither the cases decided by our tribunals, if their decisions do not give us satisfaction. The contending parties alone have to pay for this, not the people. Well, as that Court exists, and as I think it will always be in existence, I do not see what objection there is in abolishing the Supreme Court, and allowing things to be as they were before. Let contending parties, who are dissatisfied with the judgment of our Courts, and who wish for a new decision, go to England. It is said that the Supreme Court does not prevent an appeal to the Privy Council. But appeals from the Supreme Court can only be taken in exceptional cases; moreover, if there is an appeal from the Supreme Court to the Privy Council, what need is there of a Supreme Court? There is no longer any reason for its existence, as the intention of Parliament was to establish a tribunal, final in its judgments. I think, Mr. Speaker, I am justified in voting for the abolition of the Supreme Court for three reasons: first, on account of the danger with which that Court threatens us; secondly, on a question of economy; and lastly, because we can dispense with it by carrying our cases to the Judicial Committee of the Privy Council. There remains, perhaps, a reason of secondary importance, which I have found in the remarks which fell from one of last year's members. It was said that were the Supreme Court abolished, we should not attain the economy we were looking after; we should have to keep the Judges, continue paying them their salaries, or at least pay them a large sum by way of compensation. It seems to me that such an objection has not any weight, and that it is easily answered. Other situations can be found for those Judges of the Supreme Court; Judges will have to be appointed in every Province; vacancies will occur from time to time, and as they occur, justice can be done to the Judges of the Supreme Court by appointing them to the other tribunals of the country; thus no injustice will be done them, and we shall realize a considerable saving. For those reasons, I will vote for the Bill introduced by the hon. member for Montmagny.

Mr. MILLS. Nothing could be more monstrous than to say that the laws of Canada should be construed one way in one Province and another way in another Province. It is just as necessary that we should have a Court whose decisions should give a universal construction of the laws

over the Dominion, as that Parliament should have power to pass laws which should operate throughout the whole Dominion. That being my opinion, and I believe the opinion of the House, I beg to move:

That the Bill be not now read the second time, but that it be read the second time this day six months.

Mr. McDONALD (Pictou). Before the amendment is put I desire to say that I entirely concur in its terms and will vote for it. I exceedingly regret that the hon. member for Montmagny (Mr. Landry) did not see it to be in his line of duty to accept the suggestion made by me during the discussion in the early part of the evening, viz., to allow the question to stand in connection with the proposition made by the hon. member for Jacques Cartier (Mr. Girouard). It has been admitted by every hon. member who has spoken on the question that it is the desire of the Government, while accepting the proposition that a Supreme Court of Canada—in the words of the hon. member for Laval (Mr. Ouimet)—is a necessity to our Constitution to make the Court, so far as it is possible, acceptable to every Province of the Dominion, and more particularly the Province of Quebec. I need not remind my hon. friends from Quebec that the leader of the Government last Session, when this subject was discussed in this House, made it his opinion, and, of course, the opinion of the Government, that the measures suggested by hon. members from that Province should be met as far as it was possible to do so. Under the circumstances, I regret that the hon. member for Montmagny (Mr. Landry) did not see that all he could possibly hope to accomplish, could have been accomplished by accepting the suggestion thrown out. Now that a vote is to be taken on this question, I trust the amendment of the hon. member for Bothwell (Mr. Mills) will be carried; but, at the same time, the House will remember that it will have to consider the extent to which the constitution of the Court can be amended, if amendment be required, by the Bill before the House of the hon. member for Jacques Cartier (Mr. Girouard), or by any other Bill affecting the constitution of the Court in that direction, without striking directly at the life of the Court, which may be introduced by any hon. member during this or future Sessions. I, therefore, trust the House will adopt the amendment proposed by the hon. member for Bothwell.

Mr. COURSOL. I feel it to be my duty to say a few words before the vote is taken and mine is recorded. I was not prepared, and I believe very few hon. members were prepared, to have a discussion on this question this day. No one was aware, so far as I know, that the hon. member for Montmagny (Mr. Landry) was to take up the Bill which had no proposer on the notice paper in consequence of the death of Mr. Keeler. Therefore, but few hon. members were prepared to discuss it. I thought that the subject should have been discussed on its merits at the proper time, although I am not prepared to say that I would not ultimately have voted for a measure to abolish the Supreme Court entirely, if changes were not made that would be satisfactory to the Province of Quebec and the Dominion at large. I must express my regret that, notwithstanding the promise made by the Government last Session, that the matter would be considered and made the subject of well-digested legislation this Session, the House is now in the same position as last year. If the matter had been thus dealt with, hon. members would not have been in this unfortunate position—I call it unfortunate to a certain extent—that when it is the means of bringing before the press and the public charges made against the Supreme Court of Canada which ought to have the confidence of the country, and have proper respect shown it. But, in this instance, I cannot avoid saying that there are loud complaints, in Quebec especially, regarding the administration of justice by that Court; whether the fact

is due to the system I cannot say, but loud complaints have been made, and they have been admitted, by the Minister of Public Works, to be well grounded. If the House were to vote on the simple question, I would, after what I have heard, feel it to be my duty to vote in favor of the abolition of the Court *in toto*; but before wiping out an institution that has been in existence six years, I want to satisfy myself in what manner redress can be had, to know what amendments will be brought up, and to judge myself whether such a Court is necessary or not. If a Court of this description does not answer the object for which it was created, how would you replace it? Certainly constitutional questions ought to be decided by a Supreme Court and not by the different Courts of the different Provinces. Except we found some other suitable institution we should not throw the present aside. I believe the proper course to follow would be when the motion of the member for Jacques Cartier comes up, and if it is shown the Court is useless and too expensive for the country, then the House would be in a position to express an opinion on its merits. If, on the contrary, amendments are made to render this tribunal acceptable to all the Provinces, no more will be said on the question; the Court will remain and retain the prominence it ought to possess, which will prevent all complaints in future. One hon. gentleman remarked that, on a popular vote, nine-tenths of the population would vote against this Court. That may be; but we are not here to decide such points. We are now called upon to say whether a Court of this description is necessary or not. I admit there are defects in the system, for it is next to impossible, for French-Canadian lawyers, not fully acquainted with the English language, to appear before that tribunal, only two of whose members can speak French. The other Judges do not understand French, and when you have to plead a case of importance in that Court in French, it is a singular position for a lawyer to have to plead in this Court, before only two competent Judges, as regards French law. It has been remarked that in cases which have been brought before three Judges in the Court of Revision, afterwards before the Court of Appeal, and subsequently the five Judges of the Queen's Bench, presided over by as able a Judge as there is in the Dominion, Sir A. A. Dorion, and which judgments have been obtained in those Courts, those decisions may be reversed by a majority of the Supreme Court, only two of whose members are French-Canadians. Therefore I will vote against the main motion, reserving to myself the right to hear the discussions hereafter, and if the amendments are not satisfactory, and if I do not see amendments of such a nature that they will give justice to our Province, I will say without doubt that the Court, in my opinion, is useless.

Mr. LANGEVIN. I agree with the hon. gentleman who has just sat down, that this question is not one to be submitted to the people any more than any other that comes before this House. We have been elected for the purpose of dealing with all questions that come before Parliament, including such as the present. Though on this question such a popular vote might be obtained as the hon. gentleman has said, that is no reason why we, the representatives of the people, with all the facts and arguments before us, should vote in that sense. We have our responsibility and, of course, will have to do what is in the interest of the country at large. The hon. member for Montreal East (Mr. Coursol) has alluded to the promise made last year by the First Minister, and, I think, confirmed in as strong language afterwards by me at a later period of the debate on this question. I regret the right hon. gentleman is not in his place, because I am sure he would say that any promise he made, or authorized his colleagues to make, would be fulfilled. We have not been in the habit of making promises to Parliament and not fulfilling them. Since the beginning of the Session, nearly two months, we have been discussing the great question of the Pacific Rail-

Mr. Coursol.

way, which had to be proceeded with to the exclusion of every other matter. It is still before another branch of Parliament, and we, as the Executive, cannot be indifferent about what is going on in that House any more than in this, in a matter of this kind. If hon. gentlemen will only consider the very few days that have elapsed since that matter was disposed of, and that my hon. friend from Montmagny never intimated to the House or the Government that he was to bring this measure up to-day, they will admit that we must all have been taken by surprise, and unprepared to deal with the question to-day. I regret that the hon. gentleman, even in the interest of his cause, has not thought proper to delay this business till another day. What is the consequence? We have here a motion of the member for Bothwell to practically throw out the Bill. The member for Montmagny will see that those in favor of the maintenance of the Supreme Court—not out of love to it, but taking the broad view of its being one of the institutions of the country, and that though it may be defective or unpalatable as to its constitution or *personnel*—will say, before we pull down the house because of its defects, we should see whether we cannot remedy them, in order to keep it standing. Under these circumstances, I think that hon. gentlemen who are in favor of amending the constitution of that Court, or even of improving its *personnel* so as to do justice to the different Provinces, and especially to the Province of Quebec, which complains so bitterly of its working, will admit they will but do us justice by giving us a chance to consider the matter, to see whether we cannot amend that Court in a way to do justice to all the Provinces. I would, therefore, ask such hon. gentlemen as can conscientiously take that course, not to vote for the motion of the hon. member for Montmagny, but to give us a little more time. The Session will not end to-morrow, and we shall have plenty of time to consider the whole question, and the Government will be ready, when the matter comes up again, to say what they will do with regard to the motion of the hon. gentleman.

Mr. BLAKE. The observation of the hon. member calls for some comment. It is admitted that promises of a very distinct and significant character were made with reference to this institution; and those promises, made as I thought at the time a little rashly, were that during the recess the Government would consider the question and bring down a measure during the Session of Parliament to remedy the grievances which were alleged to exist by some hon. gentlemen. From the statement which the hon. gentleman has now made it appears that the consideration was not to be during the recess, but during the Session of Parliament, and that the time of the House having been occupied from day to day and from hour to hour for the last two months with the other business of Parliament, they have not had an opportunity of considering what measure they will bring down to redress the grievance. So seemed to be the state of the case from another statement of the Minister of Justice at an earlier stage of this debate, when he told us, as a reason why we should take a particular course with reference to this matter, that the hon. member for Jacques Cartier (Mr. Girouard) had a measure which, perhaps, might be satisfactory, showing that there had been no consideration of the question on his part—

Mr. McDONALD (Pictou). I said that we ought to await that discussion.

Mr. BLAKE. The hon. gentleman said, which might be satisfactory—I think I caught his phrase—showing that there had not been that consideration of the question by himself or the Government which was necessary in order that they might have reached, before the regular business of the country had commenced, a decision as to what changes they would propose in this Court. I say that such a pledge, given unfortunately, in my opinion, but

given solemnly and formally, is not redeemed in its spirit by the statement that when two months of the Session have elapsed the Government will begin to consider how that pledge shall be redeemed. I say it was then their duty to have formulated a policy during the recess, and that they should be ready, when they met the people's representatives in Parliament, to bring down that policy at an early day.

Mr. BOULTBEE. I think it was somewhat questionable whether the establishment of this Court was an advantage to the country or not, and it is more than questionable whether it fully carries out the objects which those who established it had in view. I also think that it is a matter for grave consideration whether we have not too much litigation in the country caused by the multiplication of Courts, and whether the people would not be better served if we had fewer Courts—whether it would not be better to have matters in litigation, small in amount as they generally are in this country, tried before a Judge of Assize, for instance, and a jury, and then go to the full Court for final decision, instead of having them brought before a Court of Appeals and then to the Supreme Court. The truth is, that in many instances railway and insurance companies, and other litigants of that kind, keep on litigating for the purpose of having their own way and driving out of Court those who are unable to stand such litigation. I think it ought to be fully and carefully considered whether it would not be well to do away with this Court altogether and provide some means of deciding constitutional questions, and I think they could be decided, perhaps, quite as well as now, and certainly at less expense. This and the question of whether this Court can be so altered with regard to its administration as to be more satisfactory to the country, are matters for grave consideration; but I agree with several hon. members who have spoken, and notably members of the Government, that we cannot deal with questions like these in the way in which they are sought to be dealt with by this Bill. I think it would be improper for a legislative body suddenly to legislate away a Court like this on a short debate, and by a Bill which makes no provision for many necessary matters which would have to be attended to if the Court were abolished, such as the settlement of pending claims and other matters of that kind. I shall, therefore, vote for the amendment.

Mr. LANDRY. Mr. Speaker, an hon. member who has lately spoken, has pretended that I had taken the House by surprise. Has he then forgotten that ever since 1878, the question, we have taken up to-night, has come up every year? He had, therefore, better keep his surprise for another occasion, and waste less of it on the subject now before us. A moment ago I also heard some one say that I had not given notice, either to the House or the Government, of my intention of taking the place of the hon. member, who first introduced this Bill, and who wished to ask the House to abolish the Supreme Court. It is true, Mr. Speaker, that I did not inform either the House or the Government of the intention I had of taking this step, but if my information is correct, if I have understood the words spoken in this House, it seems to me that it was agreed that when the second reading of the Bill should come up, the Bill was to be allowed to fall through of itself, if no one would, at the time, take it under his protection; on the contrary, if any one was ready to take charge of it, and propose its second reading, it was to be taken up as introduced by its original framer. The House, the Government, every member, Mr. Speaker, had consequently reason to expect that this Bill would come before us to-day in some shape or the other; that it would come before us to die or to be subjected to a debate in this House. No one could be taken by surprise, as every one was expecting this. A certain promise of the Government has been mentioned. When we discussed this question last year,

there was a considerable amount of uneasiness in the House; the greater part of the members rose and expressed an opinion adverse to the Supreme Court; the same thing takes place to-day. Last year the members from the Province of Quebec would no doubt have voted against keeping up the Supreme Court, and for the measure then introduced, but the hon. Minister of Public Works rose and asked us to vote in favor of keeping up the Supreme Court, promising us that the time was not far off when the Government itself would grant the remedy asked for these evils, or at any rate an efficacious remedy. Well, Mr. Speaker, the Government has had sufficient time between last Session and the present one to prepare that measure; yet what does it say to-day? That since the beginning of the Session all its time has been taken up with the debate on the Pacific Railway, and that it has not yet prepared the measure promised last year. Now that the Bill is before the House, what is the Government waiting for? It waits that another Bill, introduced by the hon. member for Jacques Cartier, should be discussed, in order to be able to decide what it shall do. That is not, I think, what Government promised us last Session. If, in the interval between the two Sessions, it has not had the time to prepare that measure which it had, nevertheless, solemnly promised us, I do not think that now, when its time is all absorbed with getting its Bills carried and with enforcing its policy, it has the time to prepare what is expected of it. But there is more. When the Government asks us for another delay, when it asks us to wait, at least, for the reading of the Bill which the hon. member for Jacques Cartier is about to introduce with regard to the Supreme Court, it does not even give us the assurance that it will adopt that measure. The Government is cognizant of its tenor; it knows what that Bill asks for; it is not ignorant of the fact, that if passed it would do away with one of the strongest objections brought against the Supreme Court by the Province of Quebec, and by the other Provinces of the Confederation. Nevertheless, the Government has declined to bind itself; it has not declared that it would adopt the measure now introduced. Under these circumstances, I think that we, members of the Province of Quebec, must enforce our rights. I heard the hon. Minister of Public Works say that the question was not one that should be submitted to the people. I do not pretend, Mr. Speaker, that we have come hitherto with a *mandat impératif*, but after the elections of 1878 we made promises to the people in order to gain its confidence. With regard to certain questions, which had become subjects of public discussion, we had to make sacred promises, which we are in honor bound to keep. We promised to the people that we would work against the Supreme Court when we should be here, and that, for several reasons; not only with the object of diminishing the expenditure, but also to cause to disappear the wretched state of affairs now existing, and about which all the members who have risen in this House have expressed their discontent. Who is the member who has spoken this afternoon to defend the existing state of things? All agreed to say that it could not be allowed to exist any longer. Well, if it cannot exist any longer, then let us vote for the Bill that I have the honor of introducing to the House. It simply asks for the sweeping away of the Supreme Court, and with it will be swept away all obstacles which have been raised by its creation. An hon. member, the one for Montreal East (Mr. Coursol), has asked, I think, what tribunal we should substitute for the one which we wish to abolish? Well, Mr. Speaker, what was the tribunal which the Supreme Court superseded? Before it existed, where was the tribunal that it could have superseded? Nowhere. And yet, in those days, the country was not more in debt than it is to-day; the country was making just as rapid strides towards progress. Several members seem desirous of veiling their decision and of rallying in favor of the

cause of the Supreme Court; but let them not forget the hostile votes cast against the institution of that Court; let them not forget that several of them introduced motions, and made speeches against its creation; and yet it was not sought at the time to fill a gap, which assuredly did not exist in the minds of those hon. members. Why, then, is it asked to-day which is the tribunal that is to take the place of the one we are asked to abolish? As the hon. member for Portneuf (Mr. Vallée) has said, Mr. Speaker, we have already the tribunal that we require; we have the Judicial Committee of the Privy Council in England. In that Court, the contending parties have to pay the costs of suits, and the people are not required to spend their money, an advantage greatly appreciated by them. If I look at the question from a pecuniary point of view, it is the people themselves who pay most of the expenses; it is the people who pay the Judges' salaries; it is the people who pay the working expenses of that Court, and those expenses amount to at least about \$60,000 a year. And, as has been remarked by the hon. member for Portneuf, that Court has cost since its creation more than \$300,000 without our deriving any advantage therefrom. Last year, and this year, there have been nothing but complaints about it, and next year it will be the same. I was glad to hear the hon. member for Halton (Mr. Macdougall) tell us that there was one advantage in taking a case to Her Majesty's Judicial Committee of the Privy Council, and that was that of being able to plead in a language which one appears to ignore or which one cannot understand in the Supreme Court. Better justice is thus rendered to litigants before the Privy Council. There are men in the Privy Council who are statesmen, who understand languages perfectly; men before whom we can plea in our own language in the interest of our clients, and who are certain to understand us. Such is not the case in the Supreme Court. There are a thousand reasons for the abolition of the Supreme Court, and I do not see any that can justify the actual state of things. The hon. Minister of Justice and the hon. Minister of Public Works have expressed their regret and my not consenting to the proposal of suspending the second reading of that Bill. You are aware, Mr. Speaker, of the agreement entered into. I could not consent to a delay in the reading of that Bill, when it was agreed, and such was the agreement, that it should fall through of itself, unless some member rose and asked the House to be allowed to foster it. I was thus naturally obliged to take it under my protection, in order to prevent its falling through. Having done so, I had resolved, as I said this afternoon, to suspend its reading, when an amendment supervened asking that the debate be adjourned. We were nevertheless still willing to suspend the reading of the Bill, on condition that the hon. member for Maskinongé should withdraw his motion for the adjournment of the debate; the hon. member consented, but there was a member who refused his consent, and you are aware that when an amendment is put to the vote, it can only be withdrawn with the unanimous consent of the House. Consequently, the blame thrown on me, for refusing to accept the proposal of the hon. Ministers of Justice and of Public Works, is not founded on fact, as the reasons I have given point conclusively to the contrary. Under these circumstances, and considering that the Government has noways introduced a measure in conformity with the promises made by it last year, I think it is my duty to vote against the six months' hoist proposed by the hon. member for Bothwell.

Amendment (Mr. Mills), six months' hoist, agreed to on the following division:—

YEAS:		
Messieurs		
Baker,	Hay,	O'Connor,
Barnard,	Hesson,	Ogden,
Mr. LANDRY.		

Beauchesne,	Holton,	Quimet,
Béchar, d,	Hooper,	Paterson (Brant),
Benoit,	Houde,	Pickard,
Blake,	Hurteau,	Platt,
Boulton,	Jackson,	Pope (Compton),
Bowell,	Kilvert,	Poupore,
Brown,	King,	Robertson (Hamilton),
Bunting,	Kranz,	Rogers,
Burpee (St. John),	Langevin,	Ross (Middlesex),
Burpee (Sunbury),	Lantier,	Royal,
Cartwright,	Laurier,	Ryan (Montreal),
Casey,	McDonald (Cape Breton),	Schultz,
Casgrain,	McDonald (Pictou),	Scriven,
Charlton,	McDonald (Vict., N.S.),	Shaw,
Cimon,	Macdonell (Lanark),	Skinner,
Coursol,	Macmillan,	Smith,
Dawson,	McCarthy,	Stephenson,
DeCosmos,	McConville,	Sutherland,
Drew,	McCuig,	Tassé,
Elliott,	McInnes,	Trow,
Eitzsimmons,	McLennan,	Tupper,
Fleming,	Malouin,	Wallace (Norfolk),
Gault,	Manson,	Weldon,
Geoffrion,	Masson,	Waeber,
Gillies,	Mills,	Wiser,
Girouard (Kent),	Mousseau,	Wright,
Gunn,	Muttart,	Yeo.—88.
Guthrie,		

NAYS:

Messieurs

Bannerman,	Hackett,	Patterson (Essex),
Bergeron,	Hilliard,	Perrault,
Bourassa,	Landry,	Pinsonneault,
Bourbeau,	LaRue,	Rinfret,
Bunster,	McQuade,	Ross (Dundas),
Coughlin,	McKory,	Rouleau,
Coupal,	Massue,	Routhier,
Cuthbert,	Merner,	Rykert,
Desaulniers,	Méhot,	Strange,
Dumont,	Mongenais,	Tellier,
Fortin,	Montplaisir,	Vallée,
Gigault,	Olivier,	Vanasse,
Grandbois,	Orton,	Wallace (York).—39.

COURT OF RAILWAY COMMISSIONERS.

Mr. McCARTHY, in moving the second reading of Bill (No. 12) for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879, said: It is, perhaps, necessary that I should add something to what I said when I had the honor of introducing this measure to the notice of this House. It is difficult, perhaps, to approach this subject—not because there is not a great deal to be said about it, but because the subject is of so wide a character, and embraces so many considerations, that it is almost impossible to limit oneself to any particular point, and because it is almost impossible to embrace the whole subject within the limit of an ordinary address. I do not propose to inflict upon the House a speech of any great length on the subject, because I think the main feature—the principle of the Bill, that is the establishment of some tribunal for the determination of railway matters and matters concerning the difficulties which arise between railway companies and individuals—is sufficiently well known and sufficiently appreciated as to render it unnecessary that I should take up the time of the House at any great length. But it is, perhaps, proper that I should make a few observations in asking the House to make a change of this kind. It has been said more than once during this afternoon's debate—if it is not improper to refer to the fact—that we have in this country a great many courts, more, in the estimation of some hon. gentlemen, than are essential to the wants of the people; but many courts as we have, I think I can safely say that we have no Court that has the requisite and proper machinery to deal with the difficulties that arise in connection with railway companies; and though, as I shall show in a moment or two, the law requires railway companies to do many things which they do not do, I think I am safe in saying that we have no adequate means of enforcing the

law. If it be a fact, as I think I can show, that while there is now, and while there has been for many years back, a law requiring the railway companies to give, for instance, facilities to other railway companies in the interchange of traffic, requiring them not to deal unfairly or inequitably with individuals carrying on business with them; if it is a fact that there is no efficient means by which railway companies can be compelled to obey that law—if in point of fact the railway companies are substantially above the law—then I think I make out a case for the constitution of some kind of tribunal in order that that law may be made effective. Now I shall refer to the existing law, because, though it is well known to lawyers, it may not be so well known to the general public; for, although it has been the law for many years, it is practically a dead letter. The second sub-section of the 60th section of the Consolidated Railway Act provides:

"But every railway company shall, according to their respective powers, afford all reasonable facilities to any other railway company for the receiving and forwarding and delivering of traffic upon and from the several railways belonging to or worked by such companies respectively, and for the return of carriages, trucks, and other vehicles; and no company shall give or continue any preference or advantage to, or in favor of any particular company, or any particular description of traffic, in any respect whatsoever, nor shall any company subject any particular company or any particular description of traffic to any prejudice or disadvantage in any respect whatsoever; and every railway company having or working a railway which forms part of a continuous line of railway, or which intersects any other railway, or which has any terminus, station, or wharf of the one near any terminus, station or wharf of the other, shall afford all reasonable facilities for receiving and forwarding by the one railway all the traffic arriving by the other, without any reasonable delay, and without any preference or advantage, or prejudice or disadvantage, and so that no obstruction may be offered in the using of such railway as a continuous line of communication, and so that all reasonable accommodation may at all times, by the means aforesaid, be mutually afforded by and to the said railway companies; and any agreement made between any two or more railway companies contrary to the foregoing provisions, shall be unlawful, null and void."

Now, a consideration of that sub-section shows that there is this positive enactment that railway companies shall so carry on and conduct their business, that, in point of fact, one railway company, although managed by one board of directors, shall give to another railway company, managed by another board of directors, the same facilities as if both were under the management of one board; in other words, that railways, which have now become the great highways of this country as in other countries, are to be, as the law declared they shall be, public highways to be used, not for the purpose of simply making money and paying large dividends, but to be used for the benefit and behoof of the people at large and for the purpose of facilitating traffic; to be used for the convenience of the public and as if all the railways in the Dominion were under the control of one board of management and one company. There is another sub-section also which establishes the same joint principle, that is the latter part of sub-section 6, Section 17, which declares:

"The same tolls shall be payable at the same time and under the same circumstances upon all goods and by all persons, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons by any by-laws relating to the tolls."

That may be called the equality clause. It provides that tolls shall be the same to all who require to use the road. The other clause I read requires that railway companies shall so conduct their business that traffic shall be interchanged and cars run with such speed and at such time as to afford the shippers of goods the means of transit from one end of the country to the other, although these roads may be under different managements. Although this has been the law for many years—it has not been incorporated for the first time in the Act of 1879—I think I can appeal to every hon. gentleman on both sides of the House, to say whether, from his own experience, he does not know that each and every railway company, according to its means, be it a large or small company, and whatever its opportunities may be, violate

that law and decline to interchange traffic with one another, unless it suits their convenience, and do not carry on their business upon equal terms and rates to all their customers, but deal as to them seems meet for the purpose, not only of increasing their dividends, but perhaps for the purpose of crushing out rival enterprises, or gratifying spleen or malice against individuals or companies, and there is no redress. Now, why do I say there is no redress? Because all that can be accomplished under the law as it stands to-day in Canada is this: If a man is made to pay more tolls than he ought to pay, he may get back what has been improperly exacted from him, but we all know that he gets no compensation as intended by law, and that it is no compensation for a man to be told: "You pay the money now and you can go into Court afterward and recover the excess of payment we have exacted from you." I do not think their is any other redress open. What is the result? The result is that railway companies take the litigant from Court to Court, from the Court where the suit was first instituted to the Court of Appeal and then to the next higher Court, and so on, leading him as they say, such a dance as would probably deter him and others in the future from attempting to enforce the law or secure a redress of his grievances. Now this subject has been considered in the Mother Country, and I think it would be unwise to attempt any legislation here to remedy these evils without having some reference to the means that have been attempted in the motherland to accomplish the same end we desire to attain. In the Commons' Paper of 1872, is to be found a very instructive report of a Joint Committee of both Houses of Parliament, where the whole subject is very fully reviewed. We find there that at a very early period the difficulty we complain of grew up there, and from time to time Committees of one or both Houses were empowered to consider these questions. These reports are all collected in one Joint Report of a Committee in 1872. One of these reports was made in 1846, and stated:

"After mature consideration your Committee has come to the conclusion that it is absolutely necessary that some departments of the Executive Government so constituted as to command general respect and confidence, should be charged with the supervision of Railways and Canals with full power to enforce such regulations as may be from time to time indispensable for the accommodation and general interests of the public \* \* \* Your Committee entertain no doubt that a department so constituted, might, in addition to those duties, afford material assistance to Parliament in relation to legislation. It might save, by preliminary investigation as regards facts, much expense to parties applying for Bills, and much of the valuable time of both Houses, without in any way interfering with the paramount powers of Parliament and its sole adjudication as to the rights of property."

The result of that was that a Commission was appointed in 1846, something in the nature, it seems, of the Committee of our Privy Council. There were five members of the Commission, of whom three held seats in the House of Commons, and they were instructed to report on special cases referred to them, and also upon Private Bills, and generally to deal with cognate matters. Now, some people think that if larger powers were given to the Railway Committee of the Privy Council, it would be unnecessary to appoint the Commission proposed by this Bill. But we find that the experiment has been tried in England in the most elaborate form, where a Committee was constituted, composed of railway experts who were specially delegated with those duties which the Committee of our Privy Council discharges; that is, they were political in their nature, and that necessarily distract their attention from the determination of matters of this kind. This Commission was appointed in 1846, and in 1854 it was that a Committee of which Lord Cardwell was chairman, made these two propositions at the conclusion of their report:

"That every company should afford proper facilities for forwarding traffic, and that no preferences should be given."

On these two propositions that clause in the sub-section I read a moment ago is founded, and

is substantially the same as the English Act Well, by that legislation, by the Canal and Traffic Act of 1854, they abolished the Commission which had acted from 1846 to 1853. They found that it had not effected what it had been designed to effect, and they proposed that one of the Courts of the country should deal with the subject. That proposal has found advocates in this Parliament possibly, and certainly in the press. It has been suggested, why not hand over to one of the Courts, with the authority to delegate some power to an engineer or a barrister, the powers it is proposed to confer on this Commission. Well, if we are to be guided by the experience of the old country, we find that the Court of Common Pleas failed to give satisfaction. The result of the action of this Court is stated in this report as follows:—

"The latter of these principles is an amplified statement of the general law relating to carriers, and no fault has been found with the decisions made by the Court in respect of this part of the Act. But complaints have been made that the difficulty and expense of taking a case before the Court of Common Pleas are such as to deter any but wealthy traders who have a great interest at stake, from contesting cases with the powerful railway companies; and questions of undue preference are often so technical, so dependent on special circumstances of railway management, and so closely connected with questions of "due facilities," as to lead the Committee to the conclusion that even this part of the Act has not been as much brought into play as it would have been, if speedy and summary reference could have been made to a tribunal having practical knowledge of the subject."

Sir ALBERT J. SMITH. What subject did they deal with?

Mr. McCARTHY. They had power to deal with all subjects relating to railways, to issue injunctions to the companies to afford facilities for traffic, and so forth. When the Bill was before the House of Lords, Lord Campbell uttered these words, which were afterwards found to be prophetic:

"That was not a code which the Judges could interpret; it left them altogether to exercise their discretion as to what they might deem reasonable. They were, besides, to form a just judgment on all matters of complaint relating to railway management that might come before them, and they were to lay down a code of regulations for the government of railway companies. The Judges, and himself among them, felt themselves incompetent to decide on these matters. He had spent a great part of his life in studying the laws of his country, but he confessed he was wholly unacquainted with railway management, as well as the transit of goods by boats; he knew not how to determine what was a reasonable fare, what was undue delay, or within what time trucks and boats should be returned. He believed he had correctly represented the feelings of all his learned brethren on the Bench, in reference to this Bill, with one exception, whom he mentioned with honor, respect, and reverence; he meant the learned Chief Justice of the Court of Common Pleas."

And again:

"He (Lord Campbell) would humbly suggest, that if the discharge of the duties imposed by the Bill should devolve on the Court of Common Pleas, where there were Judges as learned as ever sat in Westminster Hall, it would give satisfaction to the country; at the same time, however, he did not propose to throw on other Judges a task which ought not to have been imposed on any of them. They should have a lay tribunal for the decision of questions of the nature contemplated by the Bill, and not one composed of the Judges."

With reference to the proposition to create a Court of Railway Commissioners, the report states:

"How such a body should be constituted is a further question. No existing institution possesses the necessary qualities. The Board of Trade has not the requisite judicial character or means of action; a Court of Law fails in practical knowledge and administrative facility; and a Committee of the Houses of Parliament has no permanence. A new body ought, therefore, in our opinion, to be constituted for the purpose, which might be called the "Railway and Canal Commission." It should consist of not less than three persons of high standing, one of whom should be an eminent lawyer, and one a person well acquainted with railway management."

That Commission was tried for some years and was found to be a failure; then one of the Courts was given increased jurisdiction and arbitrary power, and after several years experience that was also found to be a failure; and finally, after the matter was gone into in a most exhaustive and thorough manner, it was found that the only way to deal properly with the railway com-

Mr. McCARTHY.

panies was to appoint a board of men of practical experience and knowledge who would be able to deal promptly and effectively with the grievances complained of with respect to railway companies. Now, has that Commission given satisfaction? It has been in force since 1873. If it has not given satisfaction it would not be proper to propose here, as I do in this Bill, to re-enact in substance the provisions of the Railway Commission Bill of England. Well, what do we find? We find that this Commission, who are bound to report to Parliament every year what they have done in the preceding year, have been able to settle most of the questions which had puzzled all the existing bodies, whether legal or administrative, who had attempted to deal with them. We find that they have compelled railways to carry out the law of the land practically, efficiently and inexpensively, and when the time came for its renewal—for it was originally proposed to remain in force only five years—the Government proposed not only to renew it, but to give it increased powers. The late Government of Lord Beaconsfield announced that to be their intention, and I notice that the other day Mr. Chamberlain, in answer to a question, stated that the present Government intended to take the question into consideration, and deal with it in the same spirit. I need not take up the time of the House in showing in what way this Bill proved to be efficient. I would refer any hon. gentlemen who are curious on that point, to Mr. Hodge's work on railways, one of the leading authorities on the subject, from which I will read an extract:

"The Railway Commissioners have now exercised the jurisdiction transferred to them in 1873, for more than three years. It seems desirable to attempt to form some estimate of the law which they have administered. It may be observed, at the outset, that the cases which have been brought before the Commissioners already, nearly equal in number those which were brought before the Judges under the Act of 1874; that, whereas the Judges frequently deferred in opinion and pronounced separate judgments, the Commissioners have always co-ocurred in one unanimous judgment; and that, although the judgments of the Commissioners nowhere directly conflict the decisions of the Judges, and made reference to the principles laid down in those decisions, the Commissioners have, in no case, referred to a particular decision by name."

On reference to the reports of the Commissioners, it will be found that in no case but one has an appeal from their judgment been allowed.

Sir ALBERT J. SMITH. Are any of them lawyers?

Mr. McCARTHY. I think two of them are not lawyers and one is. One has only to read the reports submitted to Parliament and their judgments to see that they thoroughly understand their business—that they know perfectly well the railway laws as well as the practical working of the railways. It is true that recently there have been some applications by way of prohibitions, that the railway companies have felt that the Commissioners have been trenching beyond the limits assigned to them by Parliament, and in one case, not very long ago, at all events, it was decided that the Railway Commission had gone beyond the limits assigned to it by their Commission in directing companies to construct larger stations and provide in that way more facilities for the people. Still, it is quite different to say that within the limits of the Act of Parliament their judgments have ever been successfully denied. I propose to transfer by this Bill most of the powers which are vested in the Railway Committee of the Privy Council to this Railway Commission. I do not propose that they should all be transferred. I do not propose, for instance, that the right should be taken from the Committee of the Privy Council to say when a railway should be open for traffic. I think that is a matter of such vital importance, that perhaps it is proper the Government of the day should be charged with the responsibility of saying where a railway should be open for traffic, or when, having got out of repair, it should be closed.

Sir ALBERT J. SMITH. Does the Commission give that power?

Mr. McCARTHY. I cannot say. It is possible it does. There is not, of course, a Railway Committee in the English Privy Council. This, I think, should be a Court formed for the purpose of determining the disposition of matter rather than administering them. It is in its nature a practical tribunal, but it is not for the purpose of deciding matters of that kind until it is formally brought before them. I also thought that the power of closing railway companies when the roads are out of repair, should be left with the Government, but that in most other matters the jurisdiction should be handed over to this Commission—in point of fact, that the Commission should do all that is necessary to be done, in order to show that the law is carried out. If the House will pardon me, I will read the conclusions arrived at by this Railway Committee of 1872, upon the various suggestions made as to how roads should be managed. It was proposed—I, myself, had the suggestion made to me—that it was in the power of Parliament to fix absolutely the tolls, to determine on the Statute-books how much a railway should charge for fares and freight. After discussing that matter very fully the Committee reported as follows:—

“ Pressed by these difficulties, the proposers of equal mileage have admitted that there must be numerous exceptions—*e. g.*, where there is sea competition (*i. e.*, as above stated, at about three-fifths of the railway stations of the United Kingdom), where low rates for long distances will bring a profit, or where the article carried at low rates is a necessary, such as coal. It is scarcely necessary to observe that such exceptions as these, whilst inadequate to meet all the various cases, destroy the value of ‘equal mileage’ as a principle, or the possibility of applying it as a general rule.”

Then it was said that the rates should be fixed by relation to cost and profit on capital, and that is the only provision we have in the law, *viz.*: that when a railway company was proved to be earning a certain profit the Government should have the power to determine its rates of toll. That was not found by any means to be practicable, and the view of the Committee was as follows:—

“ But the data thus assumed are very difficult, if not impossible, to ascertain. The original cost of the particular line; the cost of carriage of the particular goods on that portion of the line, as compared with the cost of carriage of other goods on the same line; and of the same on other goods on other portions of the line; and the proportion of all these to the whole charges and expenses of the company, are items which it might be difficult for the companies themselves to give, and impossible for a Committee or Government department to ascertain. Still more difficult is the determination of profit. The companies are now entitled to make as much profit as they can, so long as they do not exceed their maximum rates and any attempt to establish a standard of charge depending on profit involves the necessity of determining by law or authority what shall be the maximum dividend. The difficulties attending any proposal of this kind are more fully considered below, and are shown to be practically insuperable.”

“ The proposal to fix a standard for rates and fares by relation to cost and profit may therefore be dismissed as impracticable.”

Then it was proposed there should be a revision of rates and fares. The Committee concluded also that was impracticable. Thus almost every proposition that I have seen in print or heard in discussing this subject with railway men and others, was considered as late as 1872 by this Committee of both Houses to be impracticable after they had taken evidence of the engineers and the principal railway and business men. The result was that the Committee resolved that the recommendation of the Royal Commission as to the publishing of rates—which is one of the clauses of this Bill—should be adopted. The rates were to be published at the railway stations. The suggestions adopted, and adopted on the evidence of Mr. Broughton, then manager of the Mid-Wales Railway—now, I believe, general manager of the Great Western Railway here—Mr. Price, chairman of the Midland Railway Company, Mr. Allport, its manager, and Sir E. Watkin, chairman of

the Manchester, Sheffield and Lincolnshire Railway, were as follows:—

“ Every company is to have the power of making a through rate for goods to any place on any other line. The companies over whose lines the goods are sent are to forward them without delay or obstruction. If there is any difficulty about the proportion in which the charge is to be divided between the sending and the owning companies, the question is to be settled by the court above referred to, which is also to have the power of enforcing the law, and of settling every question between the companies.”

Then they determined that a new tribunal should be established:

“ One thing, at any rate, is obvious from the previous discussion of the proposed suggestions for regulating the relations of railway companies to the public, *viz.*, that it is difficult to provide any fixed or self-acting rules which will, through the medium of self-interest or of the ordinary action of law, do what is necessary to protect the public. Consequently, almost every witness, whether representing the commercial or the railway interest, has suggested the appeal to some board or tribunal, which shall settle disputes, and, in fact, do what self-interest or the law itself cannot do. What this tribunal should be, and what its functions, are questions on which witnesses differ.”

I do not propose to read all the suggestions, but only those more pertinent to my subject:

“ The fourth function would be that of investigating complaints of fairness or unfairness between traders, or between towns and districts, so far as they can be raised under the Railway and Canal Traffic Act. The decisions of the courts as between different classes of traders have, as noticed in an earlier part of this Report, been satisfactory in principle, and there seems no reason to suppose that any tribunal specially constituted would come to sounder conclusions. But then it is urged that the expense of going before the Court of Common Pleas is so great as to give the wealthy companies great advantages over private traders; that the absence of publication of rates prevents the trader from knowing whether he has a case or not, and that a court constituted of persons specially acquainted with the subject would settle questions of this kind without the expense and difficulty which is necessary in order to obtain decisions from a court of law. It is further urged that questions concerning the fairness of charges are matters of administrative policy rather than simple questions of law, and would be better dealt with by a special tribunal. There is considerable force in these statements; and if it is found desirable to establish a special tribunal for the purpose of settling other questions arising under the Railway and Canal Traffic Act, it seems also desirable that it should decide questions arising under this part of it.”

The fifth function is as follows:—

“ The fifth function of such a tribunal would be to see that proper facilities are given for the forwarding of passengers and goods under that part of the Railway and Canal Traffic Act which relates to this subject.”

“ This is much insisted on by various railway managers, and especially by Mr. Broughton, Sir E. Watkin, and Mr. Price. They point out that the Act in question has not operated directly for want of administrative efficiency in the tribunal; and, as incident to a general scheme of through rates, facilities, and running powers, they would give the court power to settle all questions between different railway companies concerning the interchange of traffic; the terms on which through fares rates are to be divided; the charges for the use of stations, sidings, warehouses, and servants; and, when running powers are given, the various questions arising out of them. They would also give this court the power, in cases where proper facilities are refused, of giving running powers against the defaulting company; and even in some cases, not very clearly defined, of acquiring joint stations, new junctions, or additional lines.”

I observe the railway managers do not insist on it here in the same way, because nearly every railway company has petitioned against this Bill in language which is strikingly similar. Here Mr. Broughton, Sir E. Watkin and Mr. Price were very strong in favor of a tribunal being established which would see that proper facilities were given for the forwarding of passengers and goods under that part of the Railway and Canal Traffic Act which relates to the subject. The sixth function was defined as follows:—

“ The sixth proposed function of this tribunal would be the control of tolls on canals in the hands of railway companies. If, as above suggested, power is given to canal companies to make a through toll, and if provision is made for putting an end to bar or compensation tolls, questions arising under such a law might conveniently be referred to the same tribunal. And there seems to be no reason why it should not decide, in the case of canals, any questions similar in character to those which it has to decide in the case of railways.”

Now these were in substance the conclusions arrived at by the Committee, which were embodied in an Act of Parliament, and which I have substantially copied in the Bill before

the House. I have already pointed out that the Act has on the whole, given satisfaction both to the railway companies and the business public.

Sir ALBERT J. SMITH. Was it opposed by the railway companies?

Mr. McCARTHY. Both business and railway men agreed that the attempt to administer the Railway Acts, as desired by the Parliament and in the spirit of its legislation, had proved to be utterly abortive.

Sir ALBERT J. SMITH. The railway companies did not say that.

Mr. McCARTHY. They agreed it was necessary, but differed as to the tribunal; but the Committee agreed it should be a tribunal as created by that Court. If it be true that we have laws that be not carried into effect, and that the railway companies are practically beyond all law, by reason of the want of a proper tribunal to carry it out, it does appear to follow, as naturally as night follows day, that Parliament is bound to create such a tribunal as will administer the laws enacted. It is said there can be no such tribunal—that you can get no men in the community of such character and standing as to give confidence to their decisions—that they would be either bought up, be influenced, prejudiced or worked on, in the interest of this or that company. I would be sorry to make such a humiliating statement, or to say that you cannot get men outside the profession to which I belong, because it is admitted that the Judges are above corruption, that among the railway men and men experienced in business cannot be found men honest and honorable enough to administer the law justly, uninfluenced by bribes. Therefore, I think that suggestion should be scouted. It has been proposed to confer jurisdiction on the Supreme Court or one of the higher Provincial Courts. The ready answer is that it has been tried in England, and the learned Judges of the Court of Common Pleas found themselves incapable of administering the railway law. It being not a matter of law, but a matter of administration, shows the correctness of my view. The same difficulty will be found here. It has been suggested that the Privy Council could be made use of. I think that if any hon. gentleman who belongs to that honorable body, and is a Privy Councillor, would consider the workings of the Railway Commission in England, he would be satisfied that dealing in this matter with railway companies is wholly beyond and outside the sphere of a Privy Councillor, in connection with the Government of the day. I think it would be impossible for my hon. friend, who so well administers the department of our Railways and Canals, to devote the time necessary to sit in judgment from day to day and determine questions of this kind, that have to be determined between traders and railway companies and between different railway companies themselves. I think such matters have to be disposed of speedily, or justice is practically denied. The investigations I have made have satisfied me, and would satisfy anyone, that it is practically impossible to substitute for this tribunal any Committee of the Privy Council. Besides, it was tried as an expedient in England in 1846. Their first plan was almost identical with that one. It was a tribunal composed of men partly engaged in public life, and of business men and others, who were found utterly inefficient for the practical administration of the Railway Act. It comes to this: we are here incapable of enforcing our laws, and are we to have said, and said truly, that railway companies will not obey our law? So we have to give to the people some tribunal by which our railway law can be carried out. I heard the member for Bothwell say the Bill was *ultra vires*. I have considered that point also, and think the hon. gentleman will find, though I know he is a very high authority on constitutional points, and all matters of a theoretical character, that this is not beyond

Mr. McCARTHY.

our power. This is a measure dealing with matters of trade and commerce, which belong to this Parliament. I go further, and say that, in my humble judgment, it will be found we have power not only to regulate the traffic on railways incorporated by this Parliament, but to deal with all railway companies, no matter were they obtained their charters; because we should be dealing substantially with matters of trade and commerce which are within the purview of the powers given by the British North America Act.

Mr. MILLS. Suppose a railway was owned by a local Government, or a canal?

Mr. McCARTHY. I do not think that will make any difference. If we have power to deal with trade and commerce, even should a Local Government go into trading, we should have rights over it also. My hon. friend will not contend that a Local Government would not, in that case, be subject to taxation, or such other action by this Parliament. It certainly could not legislate itself out of the jurisdiction of Parliament by going into a business wholly and entirely foreign to the duties prescribed by the British North America Act—

Sir ALBERT J. SMITH. How are the Commissioners in England paid?

Mr. McCARTHY. Out of the Consolidated Fund; £5,000 is the salary paid to the Chief Commissioner in England. I propose to draw the attention of the House to some amendments to the Railway Act. Section twenty-six confers now very considerable powers. Section twenty-eight enacts in the words and terms of the English law, a clause which has been in force there for many years. It is called in England the equality clause, and we have something like it, though not in its entirety, in sub-section six of section seventeen of the Railway Act, which I will read. The latter part of sub-section six, says:

“But the same tolls shall be payable at the same time and under the same circumstances upon all goods and by all persons, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons by any by-law relating to the tolls.”

The new section I propose to add to the Railway Act, is this:

“And whereas it is expedient that a railway company should be enabled to vary the tolls upon the railways so as to accommodate them to the circumstances of the traffic, but that such power of varying should not be used for the purpose of prejudicing or favouring particular parties, or for the purpose of collusively and unfairly creating a monopoly, either in the hands of the company or of particular parties; therefore it shall be lawful for the company, subject to the provisions and limitations herein and in their special Act contained, from time to time to alter or vary the tolls by the special Act authorized to be taken, either upon the whole or upon any particular portions of the railway as they shall think fit: Provided that all such tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile or otherwise, in respect of all passengers and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine passing only over the same portion of the line of railway under the same circumstances; and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favor of or against any particular company or person travelling upon or using the railway.”

This clause is what is what is called in England the equality clause. Hon. gentlemen will find it in the Imperial Act VIII Victoria Cap. 27. They will find that it is commented upon by Judges and explained to be an alteration of the old law with regard to carriers. The old law was that a carrier was bound to carry whatever was offered, that he was to charge no more than a fair and reasonable rate, but there was no law by which he was bound to carry for A.B. at the same rate as for C.D. But the railway law of England and the law practically in existence in this country for many years was, that these carriers should carry on equal terms for everybody; and this clause on the proposed Bill is only an enlargement of the clause which I read, one which, should the Commissioners be appointed, will enable them to refer as a guide to the English

law and the decisions which have been rendered upon it by the Judges. I do not intend to take up the time of the House at any greater length further than to refer to the manner of paying this Court. If these Commissioners are to command the respect they must be well paid; if they are to be above suspicion—and they ought to be above suspicion—they should be sufficiently compensated to make them independent of the supposition or the possibility of their being open to receive bribes. It is not for me to suggest how they shall be paid; I have proposed a plan here—it may not be a good one, but as I take it that if this Bill is to become law, it must practically be taken by the Government. They will doubtless be able, in that event, to deal with the question of remuneration. I have provided that the Commissioners shall have power, under the authority of the Governor in Council, to fix a scale of fees, and I may say in passing that this clause has been grossly misrepresented. It has been stated that the Bill provides that the Commissioners shall have power of imposing fees to pay themselves, but this is not the meaning or the intention of the clause. The power which they are given of fixing a scale of fees, is simply the power which is given to the Judges of any other Court; but they are not given the power of assessing upon railway companies or individuals. Any other fees than those which shall be fixed under the authority of the Governor in Council, and these costs they are to distribute according to the justice of cases which may come before them. I admit that the method proposed is not a very satisfactory method, and I doubt if sufficient could be realized from the fees to pay these gentlemen a sufficient sum to compensate them for the duties they will be called upon to discharge. But I venture to throw out a suggestion in the hope that it may meet the favor of the powers that be. When the insurance companies were put under the control of this Parliament by an Act of this House—when they were required to have licenses, and to make returns and so on—the tax which was put on the premiums earned by these companies, was found to be nearly enough to pay for the officer who was appointed to act on behalf of the Government in looking after these companies. It would not take a very large tax on the earnings of railway companies to provide the funds for the payment of the members of this Court. The gross annual earnings of our railway companies is about \$20,000,000, and a tax upon that sum, at the rate of one mill on the dollar, would form a fund more than sufficient to pay the Commission which it is proposed to create by this Bill. But perhaps hon. gentlemen may take a higher ground. If this Court is necessary in the interest of the country at large, it may be decided that its expenses shall be paid, like those of other tribunals, out of the public revenue; that the costs should be funded and the fees paid by stamps, and to such an extent go towards meeting the expenditure. These, however, are matters of detail. If the public think there is a necessity for creating this Court, they are not going to be deterred by any costs that may be involved, from agreeing to its establishment. In conclusion, I may say that I have endeavored to show why I think this Bill should become law, my principal reason being that we really have a law now which we have no power to administer, and that there is no other means, so far as experience has shown, of securing the administration of that law, except by the creation of such a tribunal. I may refer to what is going on in the neighboring country. I believe that Congress at this very Session is engaged with a question of this kind. I believe that three of the State Legislatures—that of Pennsylvania is one, I forget the others—are also dealing with the question. I find from a late number of the *American Law Review* the report of an address by the President of the English Law Society, commenting on the necessity for such legislation. We know

from our own individual experience in our respective localities that something of the kind is necessary in this country.

Mr. CASGRAIN. I would like to ask the hon. gentleman if he has the report of the Select Committee of the Legislature of New York which was quite lately appointed to deal with this subject; and if he has also the Bill which was passed by that Legislature?

Mr. McCARTHY. I have it here.

Mr. CASGRAIN. The Bill is short and it covers the whole ground, I think.

Mr. McCARTHY. I think it has not passed.

Mr. CASGRAIN. The hon. gentleman is mistaken. He will find that it was passed.

Mr. McCARTHY. No. The Committee reported the Bill, which passed through the Lower House, but was lost in the Upper House. It was re-introduced, having been recommended by the Governor in his Message this Session. I think the hon. member for West Durham (Mr. Blake) read a passage from it in his speech in the railway debate.

Mr. BLAKE. I think that perhaps the hon. Minister of Railways will favor us with the views of the Government on this important question.

Sir CHARLES TUPPER. I may say that the Government have not considered this measure, but there is no doubt that the question which has been brought to the notice of the House is one of great importance. The very interesting statement which has been made by my hon. friend shows that he has given very careful and exhaustive consideration to the subject with which he proposes to deal. But I think there are some points of difference between the administration of the railway lines in England and those of this country, which would strike hon. members as placing us in a very difficult and different position in relation to the administration of such laws. The British Islands, of course, are not in any immediate competition with any foreign country in relation to their roads. It is well known that many of the Canadian Railways are placed in a position to encounter the sharpest possible competition with the lines in the adjoining Republic—great lines of railway owned by powerful corporations and wielding an immense amount of influence—and that any measure that would tend to hamper the administration of Canadian railways in competition with those of the United States, may be attended with very great disaster to the trade and business of Canada. That is a feature of the question to which my hon. friend did not seem to address himself, in the remarks which he made to the House, to-night, and I think it is an important feature. Then there is the question raised by my hon. friend from Bothwell (Mr. Mills): I am afraid that there will be found a good deal of difficulty in that direction. The Railway Committee of the Privy Council, as my hon. friend knows, under the present operation of the law, is entirely confined to Dominion railways. We have never exercised, and have not claimed the power to exercise, any control over railways that are not under the control of this Parliament. No railway that is constructed under the authority of this Parliament can be open or operated without the approval of the Railway Committee of the Privy Council. Any number of railways may be constructed in any of the Provinces under the authority of local charters, and we have no voice in their construction or administration. The law that imposes upon the Dominion Government a proper regard for the safety of life and property does not at all apply to the administration of the local railways, and if my hon. friend is right, the law, as at present administered, falls very far short of the powers that ought to be exercised by the Governor in Council as at present understood. I have

no doubt that we have no power to deal with any portion of the railway system of this country except such portion as is under the control of this Parliament, otherwise it would place us in a very anomalous position in carrying out such extreme powers as are here alluded to. Then there is the question of expense. It is not the most important question, perhaps, but still it is important. The hon. gentleman has stated that these powers cannot be delegated to any of the existing Courts, that it is necessary to create a new Court under his Bill. I quite agree with the hon. gentleman that any person who takes the trouble, as he has taken trouble, to investigate the action of the Railway Commission in England, would arrive at his conclusion that it would impose upon the Railway Committee of the Privy Council duties so onerous that I am afraid they would hesitate to assume them. It is just a question whether considerable additional power might not be delegated to that body to be used in the way they use their present power. But if you are to have a new Court to whom these powers are to be delegated, if you are to select three men whose knowledge of railway management and business is sufficient to give them a standing and character, it would be necessary, in order that their decisions might carry confidence with the great railway corporations and the public, to provide very large salaries for these Judges. When we consider that railway managers in this country have enjoyed salaries of \$20,000 or \$25,000 per annum for their services, and that the knowledge and information that would be demanded of the Judges of this Court ought to be equal to those of the best railway administrators in this country, I think my hon. friend will come to the conclusion that to obtain the services of such men very large salaries would require to be provided, especially as they would be required to discharge these duties more efficiently than the ablest Judges we now have in the country could discharge them. I am quite satisfied that he would have to abandon the idea of levying such fees as would enable the expenses of this Court to be properly met, because it would become so onerous as to bring an amount of odium upon an attempt to arrive at a solution in that way which, I am afraid, would be greater than it could bear. I do not propose, however, to go into any lengthy discussion on this matter. It is one of the greatest possible moments, and I think the principle of having some such tribunal recognized, may be conceived by the House without any difficulty, and the question itself remitted to the Committee on Railways and Canals, after hon. gentlemen present have expressed their opinions upon the Bill at this stage. When the Bill is sent to the Committee it can undergo a much closer investigation, and we will have an opportunity of calling to our aid the experience of the ablest men in the country who have been charged with the duty of managing railways. I do not rise for the purpose of opposing the second reading of this Bill or of committing the Government in any way to its support, but I see no objection to the measure receiving its second reading and being then sent to the Railway Committee.

Mr. McCUAIG. I have arrived at the conclusion that we have already in this country a sufficient number of Courts to do justice to all parties who appeal to them for redress of grievances. I find that we have 49 Judges in Quebec, 61 in Ontario, and 138 in the whole Dominion, making, with the six Supreme Court Judges, 144 altogether. We have in Ontario a Division Court, a County Court, a Court of Common Pleas, a Court of Queen's Bench, a Chancery Court, an Appeal Court and a Supreme Court besides.

Mr. RYKERT. And a Maritime Court.

Mr. McCARTHY. And a Court of Appeal from assessments.

Mr. McCUAIG. It does appear to me, as a commercial man, we have Courts enough, and I am opposed to the  
Sir CHARLES TUPPER.

creation of a new Court and new Judges to try these cases. If there is any deficiency in the law, if it is discovered that these Courts have not sufficient jurisdiction, or that there is ambiguity of language in the framing of these laws, they may be properly amended by this Bill. But I am opposed to this Bill altogether. I find in Mr. Mousseau's speech, last night, and there is no better authority, that though the Province of Ontario is smaller than the Province of Quebec, it has 61 Judges, while Quebec has only 49. The whole cost of the judiciary in Ontario in round numbers is \$200,000, while in Quebec it is \$153,000. If the increase of salary is granted which is asked for by the Ontario County Court Judges, it will necessitate an increase of \$66,000 per annum. I have noticed that when men are engaged in trade or in any branch of the public service, however meritorious their conduct may have been, and though their services may have extended over a period of many years, no provision is made for them in the event of their being disabled from performing their duties, or in the event of their services being dispensed with. Many years ago, when the country was not so far advanced in civilization as it is now, and when the Crown interfered with the course of justice, it was thought proper to surround the Judges with certain safeguards against interference by the Crown. We learn from history that in the past the Crown did interfere in England with the course of justice, by intimidating or bribing men who occupied high judicial positions. But at the present day we have nothing to fear from that. I believe the Judges of this country, as a class, are not more respectable in their private character or their general intelligence than men occupying positions who are considered inferior socially; and when it comes from the mouth of the gentleman who introduces this Bill that this country is afraid to give power to two Judges because they may be bribed, I think that is one of the strongest arguments which can be used against the Bill. I think we are much safer in the hands of about 128 Judges than we should be in the hands of two. Now, I find that in a recent action brought by the South Eastern Railway Company against the Railway Commissioners who had endeavored to force the Company to erect new station buildings at Hastings, the Lord Chief Justice of England, in giving judgment in favor of the Company, remarked as follows:—

"Still less can I bring myself to think that legislation could have intended to place such a power of unfettered discretion, involving interests so large, in the hands of three gentlemen, without any appeal from its exercises, however serious the effect of their decision affecting the interests of the Company."

That is the opinion of the highest tribunal in England against the establishment of such an arbitrary court as this. The Grand Trunk Railway, instead of extorting extravagant rates for freight, are carrying freight to-day, owing to competition with the lake navigation, at rates that do not pay expenses. I can speak authoritatively on that point, and I challenge contradiction. We know that the capital sunk in railway companies in this country has been almost entirely lost, and that although they have received large bonuses from the Government, they have not paid working expenses, and I have failed to learn that any railway company in Canada has yet paid a dividend on its capital stock. And yet this Bill asks you to appoint two men to regulate this great interest. It is perfectly preposterous. Many municipalities have voted large sums of money for investment in the bonds of railway companies; they have invariably lost money. The Province of Quebec is laboring under a similar difficulty to-day. So great has the evil been in Ontario, that Mr. Mowat has been obliged to bring in a Bill to prevent any grants being made by municipalities to railway companies unless they are carried by a majority of the voters. The gentlemen who are so anxious about the freights which will be charged by the Canadian Pacific Railway Syndicate, have only to look at the map and they

will see that in four or five months in the year there will be open navigation through Hudson's Bay and Davis Straits to compete against the Syndicate and prevent them from charging excessive rates. I am not afraid of monopoly, and I think that no one will say that the railway freights charged in Canada have been extortionate. The railway companies have charged rates which have never enabled them to pay a dividend. Hundreds of men in England have been ruined in consequence of investments in the Grand Trunk Railway. And yet you talk about placing the whole of this great interest under the control of two men. Why, it is preposterous; I am ashamed that such a proposition has been brought before the House at all. I have, on the whole, great confidence in the Judges of this country, and I say if they have not sufficient power, give it to them, but establish no more Courts. I appeal to the commercial men of this House to sustain me in attempting to prevent the establishment of a new Court like this, as we have already more Courts than we need. I move:

¶ That the said Bill be not now read a second time, but be read a second time this day six months.

Mr. MILLS. It is rather extraordinary to hear the hon. gentleman say that he has much more confidence in the Grand Trunk Railway Company than in the Government. He must certainly have either a very high idea of the Grand Trunk Railway Company, or he cannot have a very high idea of the Administration. I am sure that many hon. gentlemen in the House concluded, from the experience of the last two months, that his confidence in the Administration was unbounded; and if he has such extreme confidence in it, what must be the extent of the hon. gentleman's confidence in the Company? I am not going to make any observations with regard to the practical utility of an institution such as the one the hon. gentleman who introduced this Bill proposes to create. There is an advantage in bringing forward this measure. I think the discussion of it will be attended with beneficial results. In my opinion this question of the regulation of railway tolls, if not a very important question at this hour, will be the important question of the future. I do not know that this House can do itself or the companies better service than by giving some attention in the House and in the Committee to the measure which the hon. gentleman has submitted for consideration. Without expressing any opinion on the tribunal which the hon. member proposes to create, without saying whether his proposition is the best that could be submitted to the House, I beg to say that I do not think this House has any power to create a tribunal for the purpose of regulating and controlling the railways that are chartered by the various Provinces. The Local Governments and Legislatures have the power to create railway corporations, or they have not. If they have the power, they have the right to say on what conditions those corporations shall exist, what their franchises shall be; and they have the same right to regulate and control the corporations they create that the Parliament of Canada has to control those which it creates. The hon. gentleman has given to the expression "the regulations of trade and commerce," upon which he bases his authority to introduce so comprehensive a measure as that now before Parliament, a much more comprehensive meaning than, in my opinion, the provision of our constitution will warrant him in doing. If there were no other expressions in the Act relating to the subject in which he proposes to deal, there might be some ground for his contention. Let us take the case of shipping, for instance. Shipping is, in a certain sense, an instrument of commerce, yet the terms of the British North America Act do not assume that the regulation of trade and commerce by this Legislature was sufficient to enable the Parliament to legislate on the subject, though it is as much an instrument of commerce as a railway

train or a locomotive. Unless the hon. gentleman can find some other provision than this, I do not think he will find this provision is sufficient to uphold his contention. A railway train is no more an instrument of commerce than a horse and waggon, and the hon. gentleman would not say we have the right to legislate on the subject of dealing in horses and the keeping of vehicles of all sorts, simply because they may become instruments of commerce. By the construction the hon. gentleman gives to these words, we would have the right to regulate the tolls on ordinary highways, yet we know quite well we never contemplated legislating on this subject. Then, although railways are now the properties of private persons, the Government, in any Province, may make them public property by purchase, and although they were instruments of commerce, that would not authorize the Dominion Government to exercise a supervision over them, such as is proposed in this Bill. It is not done in regard to shipping. The provision in regard to commerce does not give us the right to deal with the subject of navigation. There is an express provision in the Constitution for that purpose. Why? Because the power to regulate commerce is not a power to deal with the highways of commerce, with the vehicles of commerce, or with the property in the articles which are the subject matter of commerce. I am strongly convinced that these provisions in the hon. gentleman's Bill, if they become law, would be *ultra vires*, and be disallowed in Court. I am of the opinion of the hon. Minister of Railways, that even if we had the power it would be found a very difficult matter to undertake to deal with the subject in the manner proposed without modifications in the Bill, when we consider that a large number of our railroads depend mainly on the traffic to and from the United States. Take, for instance, the Canada Southern or the Great Western. Suppose you undertook to regulate the rates of freight—and the rates are put down on the roads south of Lake Erie at a much lower rate than what you have fixed here—you would ruin those roads unless you allowed them to regulate their freights accordingly. You must take into account the condition of traffic and the regulation of freights on roads wholly outside the country, because they exercise a potent influence on the trade and commerce of the roads within our country. I shall not vote for the six months' hoist, but for the second reading of the Bill to allow it to go to the Railway Committee, but at the same time I believe those provisions relating to Provincial railways are *ultra vires*, and I vote for the second reading without committing myself to an opinion on the particular provisions the hon. gentleman has inserted in this Bill.

Mr. JONES. I am sorry to hear the hon. member for Bothwell state that he thinks that we have no right whatever to regulate the tolls of railways in this country.

Mr. MILLS. I did not say that.

Mr. JONES. I am very glad I am mistaken. The argument of the hon. gentleman in regard to the North-West railways was that we had not the right to regulate tolls, and that this Government was about to place regulations for tolls there.

Mr. MILLS. The hon. gentleman has misunderstood what I said. I said we had no right to regulate the traffic on the railways, in the manner proposed, that are chartered by the Provinces. I quite admit our right to regulate and control railways chartered by the Parliament of Canada.

Mr. JONES. I cannot go into subtleness like that. I only hope we have the right to regulate tolls, not only in the Provinces but in the whole Dominion. The hon. member for Prince Edward County (Mr. McCuaig) has said the Grand Trunk has made no money whatever—that no road in this country has paid anything to its stockholders. Why is it? Because they were built in the most extravagant

way, and because the stock has been watered. Although I will not vote for the motion of the hon. member for Prince Edward, I cannot support the Bill as it stands, because I believe it is too complex and cumbersome, yet I think it should be discussed by the Railway Committee; and if it were amended so as to include some provision to regulate the tolls, it will be of great advantage to this country. I am not one of those who do not think that the Grand Trunk and other roads are doing benefit to the country; I am not one of those who declare that the municipalities are ruined and embarrassed by railways. There is not a single municipality that has railways passing through it, although it may have given thousands of dollars, that has not indirectly benefitted more than the amount of money voted for that purpose. How is it that every day you see bonuses given to railways passing through different townships and going to various towns? Because the people know they will greatly benefit thereby. I cannot vote for the six months' hoist, because I approve of some measure for the regulation of railways. There is no way by which we can exercise control over the railroads of the country. The clause in the General Railway Act respecting a 15 per cent. dividend is a perfect farce. When will the Grand Trunk pay 15 per cent? Great discrimination is made by railways in favor of different points, and more particularly by the railway which has conferred the greatest benefit on this country—the Grand Trunk. The company is discriminating against this country to such an extent as to prove detrimental to its interests. What is the reason that farms in Western Ontario can be purchased for a less sum than six or seven years ago?

Sir ALBERT J. SMITH. Because of the National Policy.

Mr. JONES. No; because that policy is benefitting the country, and the hon. gentleman in his heart knows it. Farms in western Ontario which five or six years ago sold for \$60 or \$70 per acre, could now be obtained for from \$10 to \$15 less. The reason was this: In Illinois, lands equally good, more easily worked, could be obtained for \$30, \$40, \$50 or say even \$60 per acre, and the farmers got freights through from Illinois to Portland cheaper, or, at all events, as cheap as the farmer in western Canada. That is the reason why people are selling their farms in Ontario and going to the North-West and western States—because they can obtain through freights and as good prices for their grain as in this country. I am very sorry to have to speak in this way, but I hope the Bill will go before the Railway Committee, because the more the subject is discussed the better. I do not wish to speak disparagingly of our railways, but they should not make discriminating freights against our own people. The present Bill is too complex and voluminous for this country. What we want here is a simple measure. We do not want half a dozen additional Judges at great expense, but an Act by which the Government could regulate railways if they thought fit in the interests of the country, not in a spirit of antagonism to those roads, for I should be very sorry to act harshly against them, but to equalize matters between the people and the railway companies so that the former may get something in return for the money they have put into the road. It is said that people in foreign countries have invested their money in our railways and lost immense sums. Granted; but they did it with their eyes open. We have put our money into the Grand Trunk and have placed our debt behind that of other parties; but I trust this country will never relinquish that debt, and always have some hold on this immense corporation, in order that it may be made to deal justly with this country. I will be happy to vote for the second reading of the Bill.

Mr. McLENNAN moved the adjournment of the debate.

Motion agreed to; and (at 11 o'clock, p.m.) the House adjourned.

Mr. JONES

## HOUSE OF COMMONS.

FRIDAY, 11th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORT.

Mr. O'CONNOR presented the annual report of the Secretary of State.

### INSOLVENT RAILWAY COMPANIES.

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

Bill (No. 56) to make provision for the winding up of Insolvent Railway Companies.—(Mr. Orton.)

### REGULATIONS RESPECTING FISHING VESSELS.

Mr. POPE (Queen's). During the last Session of Parliament an Act was passed with respect to the navigation of Canadian waters, for the purpose of adopting the same regulations as were in force in England, the United States, France and other countries. For some reason or other an Order in Council was passed in England, suspending some provisions of those regulations. This fact was brought to the notice of the Dominion Government by a despatch dated 7th December last, and upon that we are acting. It merely suspends article 10 of that Act until 1st September next. That article applies to fishing vessels, and so far as we are concerned it scarcely applies, as the class of boats it is intended to exempt, namely, those employed in drift-net fishing, are scarcely used on our coasts. Sub-section c of article 10 says:

"A fishing vessel, when employed in drift-net fishing, shall carry on one of her masts two red lights in a vertical line, one over the other, not less than three feet apart."

The next sub-section applies to the trawlers; and I do not know that we have any. Possibly there might be some vessels so employed, and as those in charge of them might be under the impression that the regulations were the same here as in England, and difficulties might arise, and loss to boats and schooners, it is as well that the Act in force here should be precisely similar to that in force in England. The Bill is merely to suspend article 10 of the Act passed last year, and adopt article 9, which is almost similar, except the two sub-sections to which I have referred, which are not included in the first Act. I, therefore, move, that the Speaker do now leave the Chair, and the House go into Committee of the Whole to consider the following resolution:

"That in view of the suspension by Her Majesty in Council, of the article of the Imperial Regulations, respecting lights to be carried by fishing vessels until the 1st of September next, it is expedient to suspend until the same time, the corresponding provisions of the Act 43 Vict. Chap. 29, and for the meantime to revive the provisions of the former Act, 31 Vict., Chap. 58, on the same subject."

Mr. BLAKE. When the Bill which the hon. gentleman proposes to amend was before the House last Session I think his attention was called by the hon. member for Shelburne (Mr. Robertson) to this very point, and he suggested that some such amendment as the present should be made. I suggested at the time that it would be well to amend the Bill as regards fishing vessels so as to give the Governor in Council power to suspend the operation of the law from time to time and to bring it into force when necessary. The Minister stated that he would endeavor to have the amendment made in the Senate, but as that was not done I presume the present amendment is intended to carry out the arrangement. I would suggest to the hon. gentleman, however, that he should take a general

suspensory power, such as has been taken by the authorities in the old country, instead of one for a limited period, or the hon. gentleman may get into trouble again during the recess. Perhaps the hon. gentleman will amend the resolution in Committee in the direction I have suggested.

Sir ALBERT J. SMITH. I think a general suspensory power should be taken, such as has been taken under the Imperial Act. I would like to ask if there is any reason given in the communication from the Colonial Office for this suspension.

Mr. POPE (Queen's.) I intended to have made the amendment in the Bill last Session, but I found that it had passed the Senate before I had an opportunity of suggesting the amendment: hence the necessity for introducing it now. I quite agree as to the desirability of making in Committee the amendment suggested by my hon. friend from West Durham. I may say, in reply to the hon. member for Westmoreland (Sir Albert J. Smith), that the despatch from the Colonial Office does not assign any reason for the suspension.

(In the Committee.)

Mr. POPE (Queen's) moved that the resolution be amended so as to read as follows:—

"That in view of the suspension by Her Majesty in Council, of the article of the Imperial Regulations, respecting lights to be carried by fishing vessels until the 1st of September next, it is expedient to give the Governor in Council power to suspend, from time to time, the corresponding provisions of the Act 43 Vic. Chap. 52, and for the meantime to revise the provisions of the former Act 31 Vict. Chap. 29, on the same subject."

Resolution amended, reported, read the second time and agreed to.

Mr. POPE (Queen's) introduced a Bill (No. 57) to give power to the Governor in Council to suspend the operation of certain provisions of the Act 43 Victoria, chapter 29, respecting the Navigation of Canadian Waters.

Bill read the first time.

#### PUBLIC BILLS.

The following Bills were read the third time and passed:—

Bill (No. 30) further to continue in force for a limited time "The better prevention of Crime Act 1878" (from the Senate).—(Mr. McDonald Pictou.)

Bill (No. 33) to amend the Law respecting Documentary Evidence in certain cases (from the Senate).—(Mr. McDonald Pictou.)

#### SALARIES OF JUDGES.

Mr. McDONALD (Pictou) moved to receive the report of Committee of the Whole adopted on the 8th instant on certain resolutions respecting the salaries of additional Judges of the Queen's Bench and Superior Court of the Province of Quebec.

Resolutions reported, read the second time and agreed to.

Mr. McDONALD (Pictou) introduced a Bill (No. 58) to provide for the salaries of an additional Judge of the Court of Queen's Bench, and an additional Judge of the Superior Court in the Province of Quebec.

Bill read the first time.

#### PRIZE FIGHTING.

Mr. McDONALD (Pictou) moved the second reading of Bill No. 29, entitled an Act respecting Prize Fighting (from the Senate.) He said: I have only to observe that this Bill was suggested from occurrences which took place on our borders during the season just passed, of a very dis-

graceful character, in which a number of people from across the border sought to make the soil of Canada the battle ground for a disgraceful, lewd prize fight. It was found that the law was defective in reference to the vindication of public morality and the peace of the people, and this Bill was introduced to remedy that evil.

Mr. ANGLIN. What do you propose to do?

Mr. McDONALD. In the first clause of the Bill the words "Prize Fight" are defined. The following are the principal provisions of the several clauses of the Bill:—

"2. Whoever, within Canada, sends or publishes, or causes to be sent or published, or otherwise made known, any challenge to fight a prize fight, or accepts any such challenge, or causes the same to be accepted, or goes in training preparatory to such fight, or acts as trainer or second to any person who intends to engage in a prize fight, is guilty of an offence against this Act, and upon summary conviction thereof, is liable to a fine of not less than \$100, nor more than \$1,000, or to imprisonment of not more than six months, or to both fine and imprisonment, in the discretion of the Court.

"3. Whoever, within Canada, engages as a principal in a prize fight is guilty of an offence against this Act, and on summary conviction thereof is liable to imprisonment for not less than three nor more than twelve months.

"4. Whoever is present at a prize fight as an aid, second, surgeon, umpire, backer, assistant or reporter, or advises, encourages or promotes such fight, is guilty of an offence against this Act, and on summary conviction thereof, is liable to a fine of not less than \$50, nor more than \$500, or to imprisonment of not more than twelve months, or to both fine and imprisonment, in the discretion of the Court.

"5. Whoever, being an inhabitant or resident of Canada, leaves Canada with intent to engage in a prize fight without the limits thereof is guilty of an offence against this Act, and on summary conviction thereof is liable to a fine of not less than fifty dollars, nor more than four hundred dollars, or to imprisonment of not more than six months, or to both fine and imprisonment, in the discretion of the Court.

"6. If, at any time, the sheriff of any county, place or district in Canada, any chief of police, any police officer, or any constable, or other police officer, has reason to believe that any person within his bailiwick or jurisdiction is about to engage as principal in any prize fight within Canada, he shall forthwith arrest such person.

"7. If any sheriff has reason to believe that a prize fight is taking place, or is about to take place, within his jurisdiction as such sheriff or that any persons are about to land or cross into Canada at a point within his county, from any place outside of Canada, with intent to engage in, or to be concerned in, or to attend any prize fight within Canada, he shall forthwith summon a force of the inhabitants of his district or county sufficient for the purpose of suppressing and preventing such fight, and he shall, with their aid, suppress and prevent the same, and arrest all persons present thereat, or who may land in or cross into Canada as aforesaid, and shall take them before some person having authority to try offences against this Act, to be dealt with according to law, and fined or imprisoned, or both, or compelled to enter into recognizances with sureties, as hereinbefore provided, according to the nature of the case.

"8. Every person offending against any of the provisions of this Act, except the principals engaged or intending to engage in a prize fight, shall be a competent witness in any proceedings under this Act, and may be compelled to appear and give evidence in the same manner and to the same extent as other persons."

Mr. PLUMB. I think everyone in this House must be glad to see an Act of this kind come down from the Senate. It is desirable that we should in every way conserve the peace. There are a few matters which I think, should come within the purview of this Bill that have not been introduced. I think that there are fights for prizes that are going on, not merely in the fistic ring but in a larger arena, which ought, perhaps, to be recognized, and which ought, perhaps, to be brought within the limits of an Act of this sort. The fiercest though not, perhaps, the bloodiest encounters are those that are constantly taking place among those who are wrestling for the prize of positions in this House and elsewhere, but I cannot see that there is any provision made here, when the ring is formed and when the prize is to be contended for, that those gentlemen who may engage even in the most severe bloodless encounters, can be arrested by the Sheriff for breaches of the peace. I have seen, in the course of my short political experience, encounters which caused more ill blood than can be caused by any which come within the purview of this Bill. I have no doubt this Bill is well intended. It comes with great propriety to us from a body which is removed from and looks down on those scenes of strife to which we our-

selves are subjected. I hope before this Bill passes the House it may be amended so as to include the subjects to which I have referred. I have no doubt that it is desirable, in the interests of peace, in the interests of that true civilization, in which the muscle does not count, but the mind is everything, that we should endeavor, so far as we can, to reduce that preponderance of muscle over mind which was the characteristic of a milder era and a less complete civilization. As it has been found that as the refinement of mind increases the less the muscles of the body are trained, that which gave a man the greatest prominence in the civic game is now looked on as a criminal offence. I observe, however, that with a wise discrimination the Senate has confined the operation of this Bill to those who contest, not for a champion's wreath, not for a crown of honor, but for the reward of money. That being the case, I have no doubt this House will receive this Bill with the consideration which is due to every proposition which emanates from that body for which we have so much respect, and which we on the Conservative side of the House consider the balance wheel in the legislation of Parliament. I observe with great regret that there is a tendency in the Radical mind—if I may use that expression without offence—to under-estimate the influence and the advantage of that body. But when we find Bills like this emanating from that House, it shows that it is not the effete body which it is called by a Radical and an irreverent press, but that it is still mindful of its duties to the country, mindful of the great mission which has been confided to it, and that it is ever ready in the interest of public peace and public safety to elaborate and bring down an Act like this, in view of the occurrences which have taken place near Long Point, in the county of Norfolk, near the town of Simcoe. These scenes were not at all such as I hinted at. They were simply brutal contests, and I hope Parliament, in this discussion, will view the necessity of protecting the territory of Canada inviolate from the roughs and the rowdies of the neighboring country, who fancy that they can make raids on our territory when they like, and that we are not able to prevent them. They found their mistake when they made their descent on the county of Norfolk, and they will make a greater mistake if they make a similar attempt after this Bill becomes law, as I trust it will.

Mr. WRIGHT. I think we have to thank the patrician order for sending us down this Bill; I think we have also to thank the hon. Minister of Justice for introducing it; and I think this Legislature should do all in its power to prevent the recurrence of those brutalizing exhibitions against which it strikes. They are the survivals of a barbarous age, the relics of a bygone time, when cock-fighting, bull-baiting and bear-baiting were popular amusements, which are incompatible with the full light of the Nineteenth Century. The other night, when the hon. leader of the Opposition made that magnificent speech, which I am sure appealed to the hearts of everyone of us, in which he pointed out the differences between the legal systems of Quebec and those of Ontario, emanating in the one case from the Roman law and in the other from the English system, I think we all felt that that hon. gentleman did every justice to the theme. But a melancholy reflection has come across my own mind that this great system, costly and magnificent as it is, did not obtain the desired object; that, after all, this magnificent edifice did not give warmth, light and protection to a great number of our people, to whom it was only a magnificent mausoleum, a whitened sepulchre filled with dead men's bones; for what is the object of every legal system but the protection of life and property; and I ask every hon. gentleman in this House, recollecting the Biddulph tragedy which has recently been brought under our notice, whether our legal system is what it ought to be? I think this is a subject worthy the consideration of the

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Minister of Justice and the leader of the Opposition. After all, justice must underlie any great system: it must underlie every State constitution. The business of the State is to see that injustice is not only restrained, but punished. The only legal right any man has, is that of being protected in the peaceful exercise of his liberty. His first duty is to pay due regard to the liberties of others. I would ask this House and the country whether our legal system is that what it ought to be? I am sure the great majority of this House and of the people feel that the grand legal system of ours is intended; unhappily, more for a class than for the great body of the people—more for the lawyers than the laymen. I would leave this unpleasant theme, throwing out the remark to the hon. the Minister of Justice, which I trust will be considered by the legal element in this House—all gentlemen of great legal ability, and from whose deliberations I am sure good results will arise—that under our system, complicated and magnificent as it is, we feel, after all, there is less substantial justice obtained than in the rude tribunal of any mining camp in the Sierra Nevadas. I speak unhappily with too much knowledge of the circumstances of the case. The Bill, as I have said, is a most important one, and I have no doubt it will be sustained by the great body of the members of this House. As the special custodian of the rights and privileges of the House, we have especially to thank you, Mr. Speaker, for the kindly and generous manner in which you afforded us great pleasure during the recent prize fight—or tournament, as we may more properly term it—on the floor of this House. We are aware that if a member who was not noble—if a common commoner had ventured to violate the rules and regulations of the House as did the knights on that occasion—he would have been threatened with all the pains and penalties of being named or having his words taken down, whatever they might be. But in that kindly courtesy which you have always manifested, you, after the fight was over and the knights had retired to their tents to bind up their wounds, said the whole discussion was irregular. We thank you for having adopted that kindly tone, and for not having put a stop to the joust, thus affording us the great pleasure of witnessing a pleasant and interesting contest. It reminded us of the great tournament at Ashby. The fierce Sir Richard, whom we may call the disinherited knight, from his having been disinherited by his constituents and forced to take refuge in the wilds of Huron, swept down on the Conservative champion opposite, who, armed in his panoply of proof and clothed in his robe of white sarsenet, emblematical of his purity of life, he successfully resisted the assault of his fierce opponent who, Protean like, changing his coat, appeared in the character of the knight of La Mancha, and attacked two windmills—windmills in this case driven by water. It was with much pleasure that we saw the stout knight of Westmoreland brace on his armour and proceed to viscerate his enemies. We felt that, representing as he did the Maritime nobility, a little element of a certain portion of the chivalric idiom of Billingsgate and "Wapping Old Stairs" was not inappropriate. It was with extreme pleasure we saw the two knights, Hospitaller and Templar, sharpening their lancet and scalpels, and proceeding to cut and anatomize their opponents in an eminently allopathic and scientific manner, according to the rules of Pharmacopœia. It would have afforded us extreme pleasure if the leader of the Opposition had been qualified by his rank to enter into the arena to engage in a contest with the leader of the Government. It would have been an epoch in the history of the legal profession, in fact the apotheosis of Gs. 8d. A recent French writer has painted a picture which for realistic power could hardly be excelled. The scene is laid under the very shadow of the Cathedral of Notre Dame, and by the side of the great River Seine, where a number of washerwomen are engaged in

cleansing the linen of the great metropolis from its vile impurities. By the realistic power of the painter, every foul stain is made manifest in such a clear, distinct manner, that the very odor and reek of all the sins and crimes of the great city are made manifest. I might, perhaps, suggest that our political linen be cleansed in private instead of in public. A few years ago, when the Conservative party occupied the position which the Liberal party occupies now; when it was but a miserable remnant, a broken band, or a "corporal's guard," as was pleasantly stated by the leader of the Opposition, we all recollect that many differences took place on the floor of the House. It was suggested by a friend of mine who takes a great interest in mortuary matters, and who had studied the literature of "worms, tombs and epitaphs," and who, unfortunately, is not now a member of this House, that some pleasant spot might be selected where hon. members should arrange these little differences without interfering with the dignity and comfort of the House. Accordingly a pleasant little glade was selected in the heart of the forest which, for seclusion and sylvan sweetness, could hardly be excelled. It was a spot that would have pleased the ancestor of the hon. member for Niagara, Aaron Burr, and the four gallant Frenchmen, Athos, Porthos, Aramis and D'Artagnan. It was a sweet spot. Every arrangement had been made by my hon. friend for the comfort and convenience of gentlemen who might choose to frequent it, but, unhappily, owing to circumstances over which we had no control, those arrangements were not carried out. Man proposes but another power dispose. "The best laid schemes of mice and men gang oft' a-gley." There was one member of this House who, by his chivalrous character, his ardent patriotism, prevented the consummation of our pleasant little Beechwood arrangement. We all know that thirteen is a fatal number at the festive board; it is a number which has been fatal to many Ministers; it was the fatal number of the Committee room to which this member invited his mortal foe. We have all been dreamers of dreams. We have fancied that we would build up on this northern part of the continent a great Dominion—to borrow an expression often used—with its foundations laid broad and deep, in which we might erect a stately and beautiful edifice, which would afford a beacon light to the nations. We thought that we should have different classes and conditions of men—that we would build up an aristocratic system which would counter-balance the fierce democracy in the south. My hon. friend from Bothwell the other night, in a forcible and eloquent speech, such as we are accustomed to hear from him, and which proved that the Mills of the Grits grinds slowly but he grinds exceedingly fine, objected to the establishment of a feudal aristocracy. I should ask the House why the present Ministry should not have the privilege of establishing an aristocracy? The late Liberal Government founded a great piscatorial aristocracy. Why should not this Government found a great territorial, or Syndicatorial, or muskratorial aristocracy? I do not see why we should not revive the ancient Earldom of Fitz Stephen, of him who rode at the right hand of the Conqueror, in favor of a namesake who has ever been distinguished by his bravery, ability and chivalrous qualities, and has won for himself broader lands and mightier domain than ever the Conqueror or his Normans ever dreamed of. Why not revive the ancient Scottish titles of Angus and Morton, and those other grand old titles of which we have read so much? And why not, in honor of the great commercial metropolis of the Dominion, create the title of Duke of Montreal in favor of one of its most prominent merchant princes, and in honor of the mighty Nimrods of the north, the mighty hunters before the Lord, create the title of Marquis of Minks and Muskrats. That is a matter which might be very well

considered by the members of the Government. You who are well acquainted with French literature, will remember that a great prince, to reward the faithful services of one of his followers, gave him all the country of the Thélème on the River Loire, to within two leagues of the great fortress of Port Husack. There was founded that great city which has been dear to every country where the lovers of the True, the Good and the Beautiful are found. Everything base, low and mean, was eliminated from this city, in it was realised the dream of Plato's Republic and the Utopia of Sir Thomas Moore—all the men were brave and loyal, and all the women beautiful and true. To my friend on my left, our little city, since Parliament met in it, has been a veritable Abbey of Thélème. We have never regarded any man's political opinions—we have always respected his honest convictions—and we have many pleasant recollections respecting that great House in which met the founders of Confederation. Regarding those able men we have many pleasant memories, but many saddening memories as well. In many a country churchyard, under a little hillock of snow, sleep some of the best of the men who laid the foundations of this Dominion. I cannot see why we should have these differences and difficulties in our views which so unpleasantly divide us. — You may honestly believe in every man holding his own opinions manfully and well, but without ill feeling or prejudice whatever. For my part, I have never believed in an aristocracy in this country; I believe that the man who comes here and founds a home in the wilderness, the lumberman and the axeman, are our best and bravest men—are nobles of the truest sort. I believe that the public men of this country, of both sides, whom I have always honored for their purity and patriotism, will compare favorably with the public men in any part of the world. The reward a public man has here is very poor. In this country there are no political prizes in public life. The result is, as a rule, he is paid in abuse and calumny. I have the highest possible respect for the public and private men of this country, for I believe that after all, they are nobles by right of an earlier creation, and nobles by the interposition of a mightier hand.

Mr. CHARLTON. I beg to call the attention of the Minister of Justice to the fact that this Bill will, in all probability, interfere with the rights of the press in a serious and unwarrantable manner. I would direct his attention, first, to section 2, as follows: "Whoever, within Canada, sends or publishes, or causes to be sent or published, or otherwise made known," and so forth. Now, it is not to be supposed, if a prize-fight is likely to come off, a matter of public notoriety, that the press would abstain from noticing that fact; and I apprehend that that section would render a newspaper liable to the penalties of this Act, if it noticed, as a matter of news, the fact that a challenge had been sent. I think that in this respect the right of the press is not properly guarded. I think there can be no objection to a newspaper noticing the fact. And again in section 4, it is provided that "Whoever is present at a prize fight as an aid, second, surgeon, umpire, backer, assistant or reporter," shall be liable to the penalties provided. Now, if a prize fight is likely to come off, enterprising newspapers, such as that at the head of which is placed my hon. friend from Wexford (Mr. Bunting) would be likely to have a reporter present to report the proceedings. I do not know that there would be anything criminal in that; so I think the right of the newspaper would, by this provision, be somewhat infringed. I think, also, it would be proper to have a physician on the ground, as he might thereby be able, sometimes, to save life, which might not be possible if time were lost in sending some distance for him. Allusion was made by the member for Niagara to the prize fight, last summer, in Norfolk county; but there is a matter in connection with it which I wish to bring under the attention of this House. That prize fight took place on Long Point, a wilderness, an

uninhabited section of the county; and the end of the Point, where the fight took place, is twenty-five miles from the mainland. It was necessary for the Sheriff, in order to suppress that infraction of the laws, to charter a steamer, as the place was inaccessible in any other way. The Sheriff did, therefore, charter a steamer, the *Annie Craig*, and employed to assist him a portion of the 39th Battalion. They proceeded in the steamer to Long Point and suppressed the fight, the Sheriff deserving great credit for his action. In doing so he incurred an expense of several hundred dollars which he has been left to pay out of his own pocket. The authorities of the Dominion and of Ontario both refused to pay that expense, claiming that the act did not come within their jurisdiction; and without venturing to advance any opinion on the matter, I beg to call the attention of the Government to the fact, that the Sheriff of Norfolk county is yet out of pocket several hundred dollars for having discharged his duty in this respect.

Mr. McDONALD (Picton). I fancy that my hon. friend from Welland will not, at least I hope he will not, ask the privilege and protection of the press which the hon. member for Norfolk seems so solicitous about. My own impression is that after this Bill passes, should a reporter be sent to it from my hon. friend's newspaper, both the reporter and the hon. gentleman would deserve the punishment which the Bill seeks to impose. And I am quite certain that he would be not only very careful, but very anxious to obey the law, so far as the great influence of his paper went, and would endeavor to impress the importance of the law upon the general sentiment of the public. I dare say when the Bill goes to Committee there may be some amendments suggested by hon. gentlemen, and so far as these will tend to perfect the Bill and carry out the common object we have in view in relation to it, it will give me great pleasure to accede to them. I do not intend to make any observations whatever as to the very eloquent, happy, and humorous speeches which we have heard from the member for Niagara (Mr. Plumb) and the member for Ottawa (Mr. Wright). I presume they seized the opportunity of showing how keen their blades were, how readily they could set their lances in rest, and how, if they do not indulge in the more demoralizing contest of a prize fight, they were ready to enter the intellectual arena and show with what skill, energy, and keenness they would contest the battle of intellectual strife.

Bill read the second time.

House resolved itself into Committee of the Whole on said Bill.

(In the Committee.)

On clause 4,

Mr. PLUMB. I think that one of the worst features of the prize fight is the brutal report of it which frequently appears in the newspapers; and these reports are all the more to be reprehended, because, if they were not published, those who engage in, and attend these contests would be deprived of one of the chief incentives to such encounters. I do not think that my hon. friend from Welland (Mr. Bunting) would choose to make his paper—the leading paper in Canada—the medium of giving prominence to reports which are prized by the sort of people who attend these brutal and demoralizing contests. The hon. member for North Norfolk (Mr. Charlton) is no doubt a stickler for the freedom of the press, but I think that that freedom should be kept within such limits as to prevent such reports being brought before the public, by the punishment of the person who writes the disgusting and demoralizing details in common with all others connected with the prize ring. I do not think my hon. friend would himself attend a prize fight, even if there were one, as there was one,

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contiguous to his own residence in Norfolk. I do not think he would lend his countenance to such contests, and I think he would be one of the first to prevent the perusal in his own family of the brutal and disgusting details of the semi-savage encounters of the prize ring. I, therefore, hope that anything which has been said by him will not induce the Committee to strike out that part of the Bill which would prevent the ubiquitous reporter from earning the small fee which he would be paid for reporting so demoralizing a spectacle as a prize fight.

On clause 10,

Mr. LONGLEY. I have not paid much attention to the Bill, but I have presumed it to be correct in every respect; and as I am by no means in favor of the prize ring, I am gratified that such a measure has been introduced. I desire, however, to seize the opportunity of making an observation or two upon a subject which, as I think, has a tolerably direct connection with the one under consideration. It is, indeed, a brutal spectacle to see two men engaged in a pugilistic encounter, pummelling one another until they are scarcely recognizable. But I conceive there is something, usually associated with such exhibitions, of a still more demoralizing character. We usually find that the persons who attend such exhibitions are of the most degraded description, men of vicious propensities and accustomed to sensual indulgence of almost every kind. But there is, speaking generally, no particular feature connected with such exhibitions of such a revolting character as that which proceeds from the bottle. I might be excused if I expressed the gratification which I experience, when I see the readiness on the part of the bulk of the hon. members of this House to discountenance pugilistic encounters and to give their support to a measure calculated to do away with such exhibitions. I only wish that I could see gentlemen occupying important positions in society, and in most of the relations of life, setting a very excellent example, perhaps, to their neighbors and friends, take half the interest in a question far transcending in importance to this question, and then we should not have to struggle so hard in this House and out of it in order to promote that particular object. I venture to say that if you could do away with the use of intoxicating liquors, before a very long time such would be the elevation of humanity at large, that you would not have to frame laws to prevent prize fighting. It is a resort to the bottle, the depraving influences that result from the liquor traffic, the use of intoxicants by high and low, that give to prize fighting all its revolting character; in fact, I may say it is that which, in a very large measure, incites to such exhibitions. Now, Mr. Chairman, I do not propose to avail myself of this opportunity to deliver a temperance lecture, because I believe that a good many hon. gentlemen here, for whom I have a very high respect after all, do not listen with a great deal of patience to such lectures. Still I am not without hope that they may benefit in some slight degree, at any rate, in the gentle admonition which I have ventured to give them. At least I do trust that they will take into account all that relates to the happiness and progress of society, and the well being of people for this world, and the world to come, connected with the drinking customs of society, and that on a more suitable opportunity we may witness the good results of this gentle admonition.

Mr. BOULTBEE. I am not able to speak with the same clearness in the narration of the features of a prize fight as the hon. member for Annapolis (Mr. Longley), because I never was present at one—

Mr. LONGLEY. I thought as much.

Mr. BOULTBEE. That hon. gentleman is able to depict even the appearance of their faces very graphically, and is also able to say that they generally partake largely of intoxicating liquors, so I suppose he must have been an eye

witness of a prize fight, at least we have a right to suppose that he is telling us something from his own knowledge. I have not the slightest doubt that he has seen a prize fight, because he is a pertinacious sort of fighting man. He never gives up his point. If he has anything on his mind he lugs it in by the head and shoulders on all occasions. We have heard a good deal of his views on temperance and sobriety. The trouble with the member for Annapolis is, that he is scarcely a sober or a temperate man. He is not charitable. He forgets the lessons that were laid down by our Saviour: he does not understand that you are to cast the mantle of charity around your neighbors, that you are to accord to others holding different opinions from your own the same degree of liberality that you claim for yourself. I know that the member for Annapolis thinks that I am so far steeped in the gall of iniquity that I am not fit to associate with him in the dark, but only in a House like this. To tell the honest truth, in old days when men were influenced by the strong hand, when those hereditary predatory robbers—that the hon. member for Centre Huron (Sir Richard J. Cartwright) described as the ancestors of the leader of the Government and the Speaker of the Senate—wrought their will among their fellows, there was something of manliness among them after all. Do not understand me to be saying anything in favor of the degrading spectacle of prize fighting, which must be so shocking that I am sure if the member for Annapolis has seen one he will never go to another. But in the old fighting days, when men contended by the strength of their hands on a fair field in the characteristic manner of Englishmen of the olden time, there was something better and more manly than the way warfare is conducted now. We see melancholy examples of what things have grown to in this polite and gentle age. We see men on the floor of this House, even, within a few feet of each other, call each other liars, and have it disseminated through the press; call each other thieves, charge each other with every base crime and have it circulated far and wide through the country; and yet, in a short time afterwards, they will get up in a most parliamentary manner and declare that they said nothing of the kind—that their words were not intended to bear this construction at all. There was nothing of this kind in the good old days. It is not so long since that an old fashioned fight absorbed the attention of both sides of the Atlantic, when the Americans, the mighty descendants of our own mother land, thought they would tackle her at her favorite mode of settling disputes on her own soil, and it was recorded by one of their own poets that:

"The fancy of America  
By all creation swore,  
The British champion round his loins  
The belt should wear no more;  
They chose a man straightway,  
And felt his arm, and saw him hit,  
And leaped and cheered, cursed and spit,  
And sent him to the fray."

Such was the idea then; but, unfortunately, anything of good there was in the manliness with which those old fights were conducted is done away with now, and a different mode of warfare has supervened. As related by another poet, talking of this same thing:

"The belt which once the champion graced,  
When boxing honor reigned,  
In modern time has been disgraced,  
And all its glory stained."

The quicker we can do away with these disgusting exhibitions the better; the quicker we can arrange to settle our disputes by some other means than by fighting them out by mere brute force the better it will be for society. Had the hon. member for Annapolis looked into the matter a little farther he would not have got up, in the prosecution of his favorite hobby, and characterized that as an

argument in favor of total abstinence, because I have read something in books and papers to the effect that people who indulge in prize fighting are exceedingly temperate; in fact, the training they are obliged to go through enforces temperance upon them, and they are unable to drink, leading, I suppose, in that respect better lives than either the member of Annapolis or myself. I will conclude these remarks by asking the member for Annapolis, who improves all occasions to air his special opinion, to have a little more regard for the opinions of men who do not look on things exactly as he does. He is a good party-man, a good Conservative, a man whom I respect in the highest degree, and I only wish he would be a little more reasonable, a little more charitable, and a little more temperate in the expression of his opinions.

Mr. LONGLEY. I do not propose for a moment to follow the hon. member who has just sat down in the spirit of banter in which he has chosen to indulge, for I would have to confess, before I began, that in that respect I could not hope to be any match for him. But his remarks have suggested to me an idea, which I did not consider it necessary to elaborate when I was on my feet before. We know what broils, growing out of intemperance, are witnessed around the grogeries. Many men, infuriated with liquor that will kill at forty rods—I will not say that the hon. member who has just sat down is a strenuous advocate of it, because he would probably require good liquor—these men, made absolutely insane, poisoned and embittered, are not content with using their fists. They are rather fonder of using the knife, and sometimes, unfortunately, they go the length of killing. Is the hon. gentleman unacquainted with the fact that, in the estimation, not of temperance advocates, but of men connected with his own profession—Judges, leading members of the Bar, Attorney Generals and State prosecutors—men in the most favorable positions for witnessing all the iniquity and all the terrible results which flow from the traffic—nine-tenths of the crime which they are called upon to adjudicate upon, result either directly or indirectly from the traffic in intoxicating liquors. The hon. gentleman has done me an injustice, although I feel that I can stand it. I can inform him that I have never witnessed a pugilistic encounter. I am not the man to encourage such exhibitions. My associations have been widely different, I am happy to say. To one observation of the hon. gentleman I wish to draw his attention, and also the attention of others who are under the delusion that intoxicants impart strength and vigor to a man who engages in such encounters. He has informed us that those men who are degrading enough to pommel one another until they are not recognizable, are nevertheless notable for their temperance principles, if not in the main, at least in preparation for the encounter. Does not that sweep away the nonsense that is talked about intoxicating liquors imparting vigor to the system, and prove that a man is better without the inebriating draught than with it? This is not true alone, with regard to the men who train for pugilistic encounters, but also with regard to men who train for foot races, and men who have to undergo any continuous fatigue. These are facts, not because I give utterance to them, but they are facts which are proved from a knowledge of the properties of alcohol, from the fact that it cannot assimilate with the human system, that no nourishment can be derived from it, according to the testimony of the most eminent physicians, not in the Dominion alone, but all over the world. If the hon. gentleman will, the first opportunity he has, tell us what good intoxicating liquors have, I shall be better pleased with his statement than with the banter he has seen fit to indulge in on the observations I have made.

Mr. PLUMB. I think one of the peculiar characteristics of the advocates of temperance, is the great intemperance

with which they urge their particular principles. My hon. friend for whom I have the greatest respect has taken up the time of the House for some considerable length, in an entirely irrelevant discussion upon a matter which had nothing to do with what my hon. friend was talking about. I suppose my hon. friend was disappointed in not being able to make a temperance address in the Convention which has been going on, and where I see the hon. member for West Middlesex (Mr. Ross) spoke with his usual eloquence, and that speech which was perhaps bottled up in the Convention, has been, on the first opportunity, presented here. Had my hon. friend waited a day or two he would have had an opportunity, on Bill (No. 52), entitled an Act to amend the Canada Temperance Act of 1878, to air, legitimately and in order, his eloquence and propound exactly what he said here to-day. But I cannot see how it was possible for any but a temperance man who is always intemperate, since he drinks like a fish, to introduce the temperance question in this discussion. I do not pretend that because my hon. friend drinks like a fish he breaks his temperance rule, but that he carries out his cold water principles. My hon. friend has brought forward in a most extraordinary manner, the example of prize fighters. Everybody knows it is necessary for those men, in order to succeed in their not very meritorious career, to abstain when training from drinking. My hon. friend, with great triumph, points this out; but if it is an argument against the use of alcohol, it is equally an argument against the use of vegetables, for some of those also are forbidden to prize fighters in their training regimen. I am sure no such discussion as that which my hon. friend introduced in this Bill would have been permitted were it not for the great respect in which the House holds the hon. member. Had the Speaker been in the chair he could not have gone on for one moment with his temperance tirade, if called to order. My hon. friend will remember that, although he has been indulged, on this occasion, in making a temperance address in an epigrammatic form, if you like, but still a condensed temperance address, for I recognize it—the hon. member for West Middlesex can get one off at any moment, he has a hundred of them cut and dry, which he has delivered all over the country—he has not the right to make temperance addresses on every occasion, whether pertinent or impertinent. We shall be glad to hear from the hon. gentleman, as no doubt we will from the hon. member for West Middlesex, on the proposition about to be made. I shall be glad to hear these hon. gentlemen attempt to discuss, on a principle of fairness, the opposition which I know they will make to that proposition.

Mr. BLAKE. I call the hon. gentleman to order. He has no right to discuss the provisions of a Bill not now before the House.

The CHAIRMAN ruled the whole discussion out of order. Nothing but a personal explanation would now be allowed.

Mr. LONGLEY. I do not rise for the purpose of speaking out of order, nor to say a single thing not pertinent; neither do I think I have said anything not quite pertinent to the question. But if I were ruled out of order in that particular, I apprehend there is not a gentleman in the House, who entertains any fair sense of justice, who would preclude me from the privilege of remarks of an exceedingly pointed character. I have as great respect for the hon. gentleman who has undertaken to give me a lecture, as any man in this House, still I scarcely think it comports with the position of any hon. gentleman in this House to undertake to lecture everybody. It would be rather an arduous task for any one to take upon himself to keep everybody in order; that is a task which the member for Niagara has taken upon himself, for the first time, to do. Now, I hope that you will allow him an

Mr. PLUMB.

opportunity of pointing out how the remarks which I made were inappropriate, inaccurate, and so forth. You might have known, from what has occurred, that the liquor interest was in danger to-day, just because the member for Niagara, and one or two other friends on the other side, started up to lecture me, in the hope that I should be placed in a false position and not understand what I was talking about. I think that about thirty or forty years of experience, of active work in the temperance cause, ought to make me, although a much humbler individual than those hon. gentlemen, and not assuming the superiority they sometimes assume, a tolerably fair judge of what I have been talking about.

Bill reported without amendment, read a third time and passed.

#### GENERAL INSPECTION ACT.

Mr. MOUSSEAU moved the second reading of Bill (No. 49) to amend "The General Inspection Act of 1874," and the Acts amending it.

Bill read the second time.

#### BANK ACT AMENDMENT BILL.

Sir LEONARD TILLEY moved the second reading of Bill (No. 50) to correct a clerical error in Schedule B to the Act 43 Vict., Chap. 22, amending "The Bank Act" and continuing the charters of certain banks.

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

#### FLOATING OF CORDWOOD.

Mr. VANASSE. Mr. Speaker, I have the honor of moving the second reading of Bill (No. 2) having for its object the regulating of wood over the non-navigable part of the St. Francis River. The Provincial Legislature passed, in 1876, an Act, 40 Victoria, chapter 67, to regulate the floating of cordwood over the unnavigable part of the River St. Francis. It is in order to complete this legislation that I have introduced the present Bill. There is a considerable trade in cordwood on this river and its tributaries, and the cordwood dealers are obliged, in the spring, to bring their wood in cribs to that portion of the river accessible to barges. As the legislation passed by the Quebec Legislature cannot be put into force on account of one part of the river being navigable and the other part not being so, considerable difficulties arise. Every year the traders engaged in this commerce get into trouble, and the question is finally settled in the law courts. It is in order to obviate these difficulties that the present Bill has been introduced. We ask that the legislation passed by the Quebec Legislature be confirmed by the Federal Legislature, inasmuch as it applies to the navigable part of the St. Francis River. The Quebec Statute provides for the appointment of a trustee, whose duty it is to see the quantity of wood that is floated upon the river, in order to prevent difficulties arising. When the wood reaches the place where the river becomes navigable and accessible to boats, the wood is withdrawn from the river, and it is ordinarily there that the difficulties begin. Those who have floated a quantity of spruce, or a quantity of hard wood, generally withdraw the contrary amount. With the appointment of a person who would know the quantity and the quality of the wood put into the water by each proprietor, these difficulties would be overcome.

Mr. BLAKE. I think the attention of the Government should be directed to this measure which, it seems to me, although it may be proper that some relief should be afforded to the parties, is of a very extraordinary description. I observe the recital of the Bill is, that the floating of cordwood is as a rule over non-navigable waters altogether, but the floating must be completed over a small portion of the

navigable portion of the river; and it is because it is to be continued over that small portion of the navigable portion of the river that the Bill is introduced to our attention, I presume.

Mr. MOUSSEAU. It is on that account.

Mr. BLAKE. There is a great mass of legislation which has taken place upon parallel subjects, particularly, I think, in the Province of New Brunswick and also in Nova Scotia. There have been a great number of Acts passed by Local Legislatures for regulating the floating of wood down streams and rivers, both navigable and non-navigable. A question arises as to the jurisdiction of the Local Legislatures to pass those Acts in so far as their provisions interfere with the navigation of rivers, but not otherwise. It is, to my mind, questionable whether it would not be better, inasmuch as the Bill is not supposed to interfere seriously with the navigation of rivers, to leave Local Legislatures to deal with those cases, subject to the observation that any Act they pass which obstructs the navigation of rivers will, of course, be beyond their powers. But if it is proposed to legislate here, I think the clause of the Bill that proposes to confirm an Act of a Provincial Legislature, in fact to re-enact it by reference, is very objectionable. It seems to me that if we are to legislate, we ought to legislate ourselves, and not to legislate by confirming any previous Act. Every clause of the Bill may be correct in the sense that it will be proper to make it law; but if it be proper to make it law, it ought to be made law by our enacting the provisions of our own authority, of course retaining power to alter and amend the provisions. It is an inconvenient practice, to say no more, that we should confirm Acts of the Local Legislatures, and so be obliged, in order to find out what the law of Canada, is to search among the Acts of the Local Legislatures for the Act that has been confirmed by the Dominion Parliament, in order to find out what the law is. In point of form, if not in substance, we ought to have before us all the Bills which we propose to enact. There are several other provisions which rather come within the sphere of the Local Legislatures than of this Parliament, and it would be very much better, I think, that the hon. the Minister of Justice, who is responsible for the consideration of these questions, should, if he has not considered the Bill, consider it before another stage is taken. The general cast of the Bill and several of its provisions seem to be equally objectionable.

Mr. BOURBEAU. Mr. Speaker, I beg leave to say a few words in support of the Bill of my hon. friend, the member for Yamaska (Mr. Vanasse). It is well known that the St. Francis River is one of the most important rivers in the Province of Quebec, and upon which a great quantity of wood is cut. All the different kinds of wood that are in the trade are floated on this river; a great many wood dealers are engaged in the trade, and as my hon. friend, the member for Yamaska, has explained, it happens that this wood gets mixed while going down the river, and when it reaches the navigable part of the river, where the boats come to get the wood, if there is no law to prevent difficulties, the mixing of the wood often causes difficulties that bring on law suits. The Bill that is now before the House provides for the settlement of these difficulties, and I think that this honorable House should take the Bill into consideration and support it. As I have already stated the St. Francis River is one of the largest rivers in the Province of Quebec, and upon which there is a considerable trade in wood, and by passing the Bill proposed by my hon. friend, the House would be rendering a service to this hon. member and also a great number of wood merchants who are interested in this trade, and who reside in the Province of Quebec. And it should not be forgotten that this river flows through a large territory—I might mention the

counties of Wolfe, Richmond, Drummond, and Yamaska. This river flows through all those counties. It is, Sir, a very considerable river, and for a long time back difficulties have been arising among those engaged in the wood trade. I think it is time to adopt some wise means of coming to their assistance. Thus, for these reasons, I trust the Bill introduced by the hon. member for Yamaska will be adopted, and I shall vote for its second reading.

Sir ALBERT J. SMITH. There are several provisions of the Bill which are *ultra vires*.

Mr. McDONALD (Pictou). The mover of the Bill, as well as the hon. the President of the Council, submitted this measure to me before it came on for second reading, and I therefore had an opportunity of considering it. I have arrived at the conclusion that so far as the question of jurisdiction is concerned there is no difficulty. I understand the objection of the leader of the Opposition to be to the form of confirming the Act of a Local Legislature, and there may, as a mere matter of form, be something in that; but after all, so far as regards substance and the effect it would have on the legislation of this House are concerned, there is no difficulty whatever. The phraseology is as follows:—

“The said Act of the Province of Quebec, 40 Vict., Chap. 67, intituled ‘An Act to regulate the floating of cordwood in the innavigable portion of the River St. Francis,’ is confirmed in so far as the powers of the Parliament of Canada extend in the matter, and all the provisions of the said Act, within the purview of the powers thereof, shall have the same force and effect as if the said Act had been passed by the Parliament of Canada.”

Sir ALBERT J. SMITH. Is the local Act confined to the non-navigable portion of the river?

Mr. McDONALD. My hon. friend will see my view as I proceed. I quite agree with the leader of the Opposition, that so far as giving force and effect to an Act of the Quebec Legislature, by re-enacting it, it is unnecessary, because if it possessed the jurisdiction to pass the Act referred to, then the Act will take its power from the jurisdiction of the Legislature of Quebec, and not from any authority which we pretend to give it. If they had no authority to make the enactment, our action would not, so far as they are concerned, give any additional power, as we do not pretend to confirm it, except in so far as it may have involved control possessed by the Dominion Parliament. Then the only question is, whether the Dominion Parliament has the jurisdiction which they are asked to exercise by this Bill. It appears to me that it turns on the question whether the words “navigable water of that river,” which I understand is a large and important river flowing into the St. Lawrence, throw the jurisdiction on this Parliament or the Local Legislature. Under the Common Law the word “navigable” means the waters of any river, to the extent to which the tide ascends and affects the current of the river. It has been decided by the Ontario and Quebec Courts, and confirmed by the Supreme Courts, that so far as regards the St. Lawrence and the large rivers running into it, that the word “navigable” is not restricted in that sense in the old Province of Canada, where the old civil law jurisdiction still prevails to a large extent, but is used in the ordinary sense of the word. I understand, from the mover of the Bill, that the portion of the river which will be affected by the Bill is of that character and description; and, therefore, if I am correct in the definition and in the enlarged purview of the word “navigable,” which prevails with respect to those rivers, this Bill will be entirely within the competence and jurisdiction of this Parliament, and not within the competence of the Provincial Legislature. So far as I have read the Bill and understand the locality, I do not see how the rights sought to be given by this Bill would affect any public or general right of navigation which prevails on that river.

Mr. MOUSSEAU. Mr. Speaker, the Bill introduced by my hon. friend the member for Yamaska has its *raison d'être*, and is even absolutely necessary. It is especially brought in in order to avoid those continual law suits that would arise first in Sorel, then in Montreal, and would finally go to England. This is not the first time such a measure has been introduced in this House. On a great many occasions when any doubt arose as to the interpretation of the legislation of this Parliament or that of the Local Legislature—on many and many occasions, I say, Bills passed in Ontario, New Brunswick, or Nova Scotia, has been confirmed here. And, Sir, it is very important that the Parliament of the Dominion should grant these requests, for it is far better to expend a few farthings here in order to give jurisdiction to the Local and Federal Legislatures than that persons and trade should be ruined later by law suits. I do not think that the hon. leader of the Opposition is aware of the important facts that have been submitted to the hon. Minister of Justice; that is, that the St. Francis River is perfectly navigable, according to Common Law, certainly, and according to jurisprudence, very surely, especially according to Acts passed in Quebec, Ontario, and even here. This river is navigable as far as the place where they want to appoint a syndicate; above that it is full of rapids, and further up there are large lakes where trade is carried on. The only serious objection raised by the hon. leader of the Opposition is that we are confirming local legislation. Well, that is a question of parliamentary practice that may be rectified in Committee; but as to the principle, I think that it is better to pass an Act, the necessity of which may be questioned, but of which the result for the country will be to obviate long and costly law suits.

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

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

#### AFTER RECESS.

#### NORTHERN RAILWAY COMPANY.

Mr. BOULTBEE moved the second reading of Bill (No. 20) respecting the Northern Railway Company of Canada.

Mr. ANGLIN. What does it mean?

Mr. BOULTBEE. It means that the railway company wants to raise money for equipment, as the Bill states.

Mr. BLAKE. This is a Bill which, I think, requires consideration, for it means a little more than was stated by the hon. gentleman. As I understand it, it means that the company who now have a number of different grades of stock, shall have power to issue further stock on the authority of those stockholders who have everything to gain and nothing to lose by the improved equipment of the road, but above the heads and irrespective of the independent votes of those who may have something to lose. This, it seems to me, is contrary to ordinary usage and sound principle, and I think there ought to be some provision for obtaining the independent votes of those who hold securities above which it is proposed to place the new issue.

Mr. BOULTBEE. As I understand, these are matters of detail which may properly be discussed in Committee, but not at the second reading. The principle of the Bill is to regulate the securities of the company, and it is unusual to enter into a discussion of the details of a Private Bill at the second reading.

Mr. McCARTHY. I agree with the hon. member who has charge of the Bill, that it should be read the second time and referred to Committee, as I believe that the true rule is that the House does not accede to the principle of a

Mr. McDONALD (Picton).

Private Bill by giving it a second reading. At the same time, I do not pledge myself to support in Committee the Bill as it now stands, because the rights of the parties over whose heads these bonds are to be issued ought to be protected.

Mr. BLAKE. I do not mean to oppose the second reading of the Bill, but I think we should proceed cautiously with a measure of this kind.

Mr. LANGEVIN. I suppose the hon. gentleman only called the attention of the House to this special feature of the Bill, in order that the attention of the Government, as well as the members of the Railway Committee, might be called to this matter. I do not suppose there can be any objection to the second reading, and when the Bill is referred to the Railway Committee, composed of more than half of the members of the House, most likely advocates on both sides will put their case before the House.

Bill read the second time.

#### CREDIT FONCIER FRANCO-CANADIEN.

Mr. GIROUARD moved the second reading of Bill (No. 31) to enlarge and extend the powers of the Credit Foncier Franco-Canadien.

Mr. VALLÉE. Mr. Speaker, I must oppose the Bill asking for an extension of the powers of the Crédit Foncier Franco-Canadien, because that Company is incorporated under an Act of the Provincial Legislature, which sets forth in an indisputable, or rather in an absolute manner, that this Company shall transact business in the Province of Quebec only; and under its Act of incorporation and by its existence itself, it should transact and carry on business in the Province of Quebec alone. The Statute referred to defines its powers in the most absolute fashion; the Provincial Legislature has given it immense powers by that Statute, and granted to it a most extensive privilege; it has even declared that no other society of its kind should be established in the Province of Quebec for fifty years to come. By reason of its Act of incorporation itself, I maintain that the Company may not come before this House and ask for an extension of its powers. In the first place, we have not the right to extend them; neither have we the right to entertain the Bill, for the reason that the Company is not recognized by the Parliament of the Dominion of Canada. If the Company wishes to obtain more extended powers, if it believes that it is empowered by its Act of incorporation to obtain leave to extend its operations throughout the Dominion of Canada, it should ask for a new Act of incorporation, it should seek a constitution under the Federal principle, so as to be enabled to enjoy its powers throughout the Dominion. There is another objection to the Bill, and it is that the one submitted to this House asks for powers more extensive than those conferred by the original Bill. We are asked to give to the Company the right of lending money on all real estate, whereas the Act creating the Company specifies the loans which it shall make, as well as those which it shall not. No such distinction is made in the extension of powers which we are asked to give to-day; it is simply stated that the Company shall have the right of lending money on all real estate in the Dominion of Canada. Were we to give such a power to the Company, there would be a clashing between the power thus conferred on it and that embodied in its Act of incorporation; for, according to the Act which created it, it is said that the Company shall only lend on such and such estates, and yet by the Bill which we should pass, the Company would be free to lend on all real estate. There is consequently an insurmountable reason forbidding us to adopt this measure. There is more, Mr. Speaker, and I wish to call your attention to it: We are asked for an extension of powers; it is a company not incorporated by

us which asks this favor of us; consequently this Bill must be considered as letters-patent, and it is the general rule that, in order that such letters-patent be confirmed, it is necessary that they should be contained in the Bill itself. I submit, therefore, that the present Bill should have contained the Act of incorporation of the Company; that the Act incorporating the Company in the Provincial Statutes of the Province of Quebec should have been included in the Bill submitted to us, in order that by the Act we should pass, we might extend and confirm such powers if we had the right so to do. I will now quote a couple of precedents in confirmation of what I maintain. I find the following in Ellis:—

“That when any Bill shall be brought into this House for confirming of letters-patent, there be a true copy of such letters-patent annexed to the Bill.”

I find the same opinion expressed in May, page 681, where it is said that the promoter of a Bill like the present one was obliged to withdraw it because the letters-patent had not been annexed to the Bill.

Mr. LANGEVIN. Would the hon. gentleman be so kind as to read that passage of May?

Mr. VALLÉE:

“The Committee on a Bill for confirming letters-patent are to see, in compliance with the standing orders, that there be a true copy of the letters-patent annexed to the Bill.” This copy should be attached to the Bill when first brought into the House; and if its omission were noticed in the House, at any time before the Bill was in Committee, the Bill might be ordered to be withdrawn.”

For the above reasons, do I call for your decision, Mr. Speaker. In the first place, we have not, according to Civil law, the right of passing this Bill; secondly, we have no right to pass it, because it is not recognized by this House; because the Company is incorporated under a Provincial Statute, that its powers are defined by that Legislature, and that we have no right to interfere with the latter's powers; thirdly, because the Company asks for powers more extensive than those it derives from the Act creating it; fourthly, because its Act of incorporation and its letters-patent should have been annexed to the Private Bill. For these reasons do I ask for your decision, and that the Bill should be declared out of order and withdrawn.

Mr. LANGEVIN. The hon. gentleman, who has just spoken, objects that this Bill cannot be brought before this Parliament without having letters-patent annexed to the Bill; and, secondly, that this Bill is not in order, because it affects civil rights, and ought, therefore, to be declared out of order. As to the letters-patent, I think the hon. gentleman is quite wrong. This *Crédit Foncier* Company was not incorporated by letters-patent, but by an Act of the Legislature of Quebec. Those Acts are public Acts, they are as well known as our own Acts, and their publication in the *Official Gazette*, and in the Statutes of that Province, is a sufficient notice to the whole world of the existence of that Company. The reason why petitioners should be called upon to annex letters-patent to every petition for a Bill of this kind, is that these letters-patent may not be known as an Act of Parliament, and therefore it is important that those who may have to sue the company may know exactly what are its powers and by what instrument it was constituted. In the present case it is not so. This is an Act of the Legislature of Quebec, and being a public Act there is no necessity to annex letters-patent to the Bill. My hon. friend goes further, and says that this Bill affects civil rights. It may be that certain provisions of this Bill affect civil rights, but that is not the basis of the Bill. The whole Bill is for quite another purpose, it is in fact “An Act to enlarge and extend the powers of the *Crédit Foncier Franco-Canadien*.” The preamble reads:

“Whereas, the *Crédit Foncier Franco-Canadien*, incorporated by the Statute of the Province of Quebec, passed in the Legislature of that

Province, held in the 43rd and 44th year of Her Majesty's reign, chapter 80, intituled “An Act to incorporate the *Crédit Foncier Franco-Canadien*,” has prayed for an extension and enlargement of its powers so as to allow it to transact business throughout the Dominion, and it is expedient to grant the prayer of its petition.”

That is the object of the Bill, to allow this Company to transact business throughout the Dominion, and not to affect civil rights. If there are provisions in that Bill that may affect civil rights, when the Bill comes before the Banking Committee these provisions may be modified or expunged. The “*Crédit Foncier Franco-Canadien*” is incorporated by an Act of the Legislature of the Province of Quebec. Now, this Act of the Legislature of the Province of Quebec is published in the *Quebec Official Gazette*; it is published in the Statutes of the Province of Quebec, and that is, in the eyes of the law, a sufficient notice for everybody of the existence of this *Crédit Foncier* Company. That it is the basis of its existence, and it is so much so that it only needs to be stated that the Statute exists, and unless it can be shown that there has been falsification, that the volume is not a volume of the Statutes, this volume is evidence of the existence of the Company. It is very different from what it would be if we had letters-patent, because letters-patent would not have the same publicity as the Act of the Legislature of the Province of Quebec, and we would apply the ordinary rule that requires letters-patent to be annexed. As to the second point, namely, civil rights, I maintain that the object of the Act is not to affect them. The object of this Bill is merely to extend the powers of the “*Crédit Foncier Franco-Canadien*,” as incorporated by the Legislature of the Province of Quebec, to the whole Dominion of Canada. Well, if in this Bill there be anything affecting civil rights, the Banking Committee will strike out such provisions and then the Bill will remain without them. If the Banking Committee do not strike out these provisions affecting civil rights, nothing will prevent my hon. friend, the member for Portneuf, from moving an amendment to have such part of the Bill struck out. But, at all events, I do not think that the Bill should be thrown out on account of the remark made by the hon. member.

Mr. GIROUARD (Jacques Cartier). After the remarks made by the Minister of Public Works, almost nothing is left for me to say. The *Crédit Foncier Canadien* was incorporated by the Quebec Legislature last year, with certain powers limited to that Province. The Company now ask that its powers should be extended to the whole Dominion, but not with regard to property or civil rights, which, of course, come within the exclusive jurisdiction of the Local Legislatures. There is a great deal of force in the objection raised by the hon. member for Portneuf (Mr. Vallée). It may be that, within the meaning of the British North America Act, lending money on the bonds of municipal or school corporations, or on real estate, is a civil right; but, because that clause is objectionable, that is no reason why the whole Bill should be rejected. The principal clause in the Bill is that empowering the Company to lend money on bonds, debentures and other securities of the Dominion. It is true that investment companies have in the past been incorporated by this Parliament with power to lend money on real estate, and the question was never raised as to the power of this Parliament to grant that privilege. If the Committee and the House come to the conclusion that we have the power, then this charter is all right; but if they decide that we have not the power, then the *Crédit Foncier*, in order to lend money in any Province, will be obliged to apply to the Local Legislature of that Province. The Company have a Bill before the Ontario Legislature at present, authorizing them to lend money on real estate in that Province. As to the objection that the *Crédit Foncier Canadien* has no legal existence in this House, I find that a Statute of 1880, passed by this Parliament, gave certain powers to the French

Atlantic Cable Company, which was incorporated in France; and yet we are told that a company incorporated by one of our own Local Legislatures has no legal existence. I can see no technical or constitutional objection to the Bill. Whatever objection can be raised against the Bill it will be time enough to raise it when it comes before the Committee, and I think it should now receive its second reading.

Mr. BLAKE. I do not think there is anything in the point of order and the other objections such as should prevent the second reading of the Bill. As the hon. gentleman says, it is quite in our power to recognize the existence of any corporate entity, no matter by what legislative power that corporate entity may have been created, and to give it powers which we might give to any corporation incorporated by ourselves, although that is not a principle which I should desire to see very extensively applied. The question of powers may very well be left to the Committee, but I would say that if this Bill be not for the purpose of empowering the Company to lend money in other Provinces, I cannot see what its object is. If it is merely to give the Crédit Foncier the power of purchasing the bonds and other securities of the Dominion, I very much doubt whether the Local Legislature could not give that power, if they have not got it already. With reference to the 7th and 8th clauses, I hope the Committee will see that they conform to the spirit of the principle we recognized last year, so that the borrower will know what he is paying in principal and interest.

Mr. GIROUARD. We intend to comply with that law.

Mr. BLAKE. Then the 12th and 13th clauses seem to me to be very singular clauses. They give this Company a private criminal law of its own. They declare that mortgaging without legal title, and falsely declaring that mortgaged land is free from encumbrances, on the part of a borrower, shall be misdemeanors, and shall render him liable to fine and imprisonment. These clauses should either be made general in their application or they should not exist for the benefit of this single corporation.

Mr. VALLÉE. It is stated in the Act of incorporation what are the powers of the Crédit Foncier Franco-Canadien. I therefore maintain that that Act should be annexed to the Bill now before the House, as letters patent, in order that we should be able to grant any privileges to the Company. Such has ever been the principle both in England and here, and it is carried out to prevent the passing of a Bill giving to a company powers more extended than those contained in the letters-patent, or in its Act of incorporation. The Legislature of the Province of Quebec has granted to the Company the right of existence in the Province of Quebec for 50 years, on condition that it should confine its operations to that Province, and now we are asked to grant to it the right of extending its operations throughout the other Provinces of the Confederation. I pretend that there is a serious danger in granting such a power; it would be tantamount to setting aside our provincial authority; those desirous of obtaining special privileges would go to the Provincial Legislature and say: "Incorporate us, as we wish to do so-and-so." Therefore, the Legislature would incorporate such a company, and would grant to it privileges, denying similar ones to any other corporation, for a term of 50 years; these privileges once secured, the company would appear before the Federal Parliament and ask for an extension of powers. The hon. member for Jacques Cartier has said: "It is because these powers are too limited that we have come to ask you to extend them." Well, then, if your powers are too limited, go back to the Legislature of the Province of Quebec, where you were born; go back to the place whence you obtained your powers; go whither you have your existence and ask of that Legislature to

Mr. GIROUARD (Jacques Cartier).

grant you the authority to go further; it will grant you the permission of extending your operations elsewhere." But if the Federal Government grants such a privilege to this Company, what will take place? The Crédit Foncier will extend its operations to all the other Provinces, reserving to itself the Province of Quebec as a basis for future operations; it will make use of the funds of the freeholders of the Province of Quebec to speculate in the other Provinces. We are told that it is nothing new that companies should come and ask for an extension of powers. But there is no precedent for the present case, and I defy the hon. member for Jacques Cartier to instance a similar case. The hon. member has mentioned that of the Trans-Atlantic Cable Company. But the present case is that of a company incorporated by the Provincial Legislature, which has defined its powers, its privileges, and has said: "We have granted you an Act of incorporation so that you should invest your money in the Province of Quebec exclusively, and on those terms do we allow you to exist with the powers which we now grant you." Well, then, the Province of Quebec would be deprived of the advantages to be derived from a company incorporated by itself, should the Federal Parliament grant to it the right of existence in the whole Dominion of Canada. I repeat that is a serious danger, that this House has no right to interfere and to extend powers granted by a Local Legislature, when once they have been defined. I maintain that we cannot entertain this Bill; it is unconstitutional and opposed to the idea which has ever presided at law-making. I pretend that this private Company, which, on the strength of a Private Bill, asks for an extension of powers, should follow the rule, which consists in annexing the Bill itself to the new one asked for. It is, perhaps, the first time that the question arises, but precedents have not always existed. I think it is a measure of security for the future, and to that, Mr. Speaker, do I call your particular attention.

Mr. GIROUARD. I would like to correct a little error committed by the hon. member when he stated that the Crédit Foncier had the privilege of lending money during 50 years in the Province of Quebec. The only privilege it has is to have a Committee or Board of Directors at Paris. The Quebec Legislature bound itself not to incorporate another Company or Crédit Foncier, lending money on the same principle, which should have an office in Paris, but the Quebec Legislature may incorporate as many Crédit Fonciers as it likes, provided that these Crédit Fonciers or these companies have offices outside of Paris, in London or elsewhere.

Mr. VALLÉE. The hon. member for Jacques Cartier contradicts me on a certain point, and says I have made a mistake. The following is the clause upon which I base my assertion:—

"A privilege of 50 years, dating from the day of its final constitution, is granted to the Company. The said privilege consists in the fact that the Government of the Province binds itself not to authorize within its territory the formation of any other Crédit Foncier in any way represented in France."

Consequently, no other company of its kind may establish itself in Canada.

Mr. SPEAKER. The objections raised by the hon. member for Portneuf are as follows: First, that this House has no jurisdiction, because the Bill before it affects civil rights; 2nd, that it gives larger powers than those granted by the Legislature of the Province of Quebec; 3rd, that the Bill ought to be accompanied by a copy of the Statute of the Province of Quebec, granted for the incorporation of the Company, which is in effect equivalent to letters-patent, which, according to the Standing Orders, must accompany the Bill. With the first two points I have nothing to do. Neither the question of jurisdiction, nor the other

objection, that the Bill gives larger powers, can be decided by the Chair. These questions are decided by the House itself or by the Committees to which the Bills are referred. The third point is a question of order, but the fact is that the Bill is founded on a Statute of the Legislature of the Province of Quebec, and I cannot consider that the rule applies to such. We all know that every Session Bills are passed by the House conferring powers granted by the Local Legislatures, and it has never been considered obligatory that the copy of any Provincial Statute should be annexed to any such Bill. I, therefore, rule that the points raised by the hon. member for Portneuf are not well taken.

Bill read the second time.

#### DOMINION CRÉDIT FONCIER.

Mr. IVES moved the second reading of Bill (No. 32) to incorporate the Credit Foncier of Canada.

Mr. LANGEVIN. I do not rise to oppose the Bill on its second reading, but the same objection has to be made to this Bill as was made to the other, so far as civil rights are affected by it. Of course, that is to be decided by the Committee. I only wish to draw the hon. gentleman's attention to that objection.

Mr. IVES. I have already very carefully looked into the objection, and shall have a good deal to say with reference to it when the Bill comes up in Committee. I am a little surprised that my hon. friend from Jacques Cartier should willingly give up all that there is in his Bill of any use. It looks as if it pointed more to my Bill than to his own. I have not the slightest doubt this Parliament has the power to incorporate a company, either to lend money on real estate, or buy and sell real estate.

Mr. MILLS. If the hon. gentleman is disposed to discuss that question, it ought to be discussed here rather than in Committee. It ought to be fairly considered at every stage of the Bill. I do not see that we have the power about which the hon. gentleman has no doubt. This House has larger power than the Local Legislatures, and I do not think hon. members should regard with indifference an assumption of power that belongs to bodies less capable of taking care of their own interests than this House. The tendency for many years has been to legislate on every subject introduced here with reference to the question of jurisdiction. The only question hon. gentlemen seem to think this House has to consider is whether the measure is good or not. There may be many excellent measures not within the cognizance of this Parliament. In my opinion the hon. gentleman has in this measure undertaken to deal with the subject in a manner that seriously trenches on powers appertaining to another body.

Mr. IVES. I quite think it would have been better to discuss in the House the question which will be raised in the Committee. I take this ground, because it seems to be understood that the Bill which preceded this and which asks for similar powers, should be referred to the Committee. Of course, whatever decision this Committee will report, the question of jurisdiction can still be raised in this House.

Mr. GIROUARD. The question raised by the presentation of this Bill of my hon. friend is a serious one, though I do not object the Bill should be referred to a Committee and its constitutionality examined. It is a copy, word for word, of the Bill incorporating the Crédit Foncier Franco-Canadien in the Quebec Legislature. Before that society was incorporated, the promoters insisted that the Dominion Government should declare whether the Bill was within the powers of the Quebec Legislature. The Government declared that it was. If so, it seems to me this Parliament

has no right to give the very same powers. That question can be examined into before the Private Bill Committee.

Mr. VALLÉE. I think that if this Parliament has not the right to pass this Bill, we have not the power to extend the privileges given to a company incorporated by the Provincial Legislature for the same purpose. If we have not the power to incorporate, we have still less the power to extend.

Bill read the second time.

#### SECOND READINGS.

The following Bills were read the second time:—

Bill (No. 53) to amend the Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. Brooks.)

Bill (No. 54) to amend the Act of incorporation of The Accident Insurance Company of Canada, and to authorize the change of the name of the said Company to "The Accident Insurance Company of America."—(Mr. Gault.)

#### NEW BRUNSWICK RAILWAY COMPANY.

Mr. BURPEE (St. John), in the absence of Mr. Weldon, in moving the second reading of Bill (No. 55) to amend the Acts relating to the New Brunswick Railway Company, said: The object of the Bill is to extend the line from Edmonton to the St. Lawrence to the Intercolonial, and to give power to the Company to erect a bridge across the St. John at Woodstock.

Mr. DOMVILLE. I think the hon. gentleman should give us some more information as to the intentions of the Company. It was chartered by the New Brunswick Legislature, in the first instance, to build a broad gauge railway, to bridge the St. John, and carry the Quebec end to Rivière du Loup, and it got a very large grant of public lands, nearly 2,000,000 acres, to assist it. When the railroad finally got into operation it was made a narrow gauge road, and was then turned over to another company, whose members do not belong to the Province at all. So those New Brunswick lands, with vast timber limits, are now in the hands of strangers, and who can charge the people what they please in the shape of stumpage and other dues. I do not mean to say they will be induced to be unjust by charging excessive tolls, but they have the power. For years those lands were locked up, stumpage was increased, making it a great injustice to New Brunswick that its lands should have been thus disposed of. Before giving the Company any additional privilege we should have some guarantee of their *bond fides* and intentions. They have got up a joint stock company in England to get rid of the lands or colonize them. I think, therefore, the member for St. John, who is largely interested in the lands himself, and who, perhaps, intends well, should inform the House of the projects of the Company. I do not wish to throw any difficulty in the way of railroads, because the more we have of them the better, and I am pleased to think my friend from St. John and his colleagues are so enterprising as to extend this one, but before granting them the charter we should be informed whether they intend to make the road a broad gauge, or extend it to Rivière du Loup or Rivière Ouelle, for the benefit of the people of New Brunswick, whose rights are so largely concerned.

Mr. BURPEE (St. John). So far as the Company are concerned, the main portion of the railroad is owned in Canada still. But the Company intend next spring to widen the gauge of the road in the western section, and this Bill is to enable them to extend it to the St. Lawrence, I think to Rivière du Loup. We also ask authority to erect a bridge across

the St. John at Woodstock. Our object is to make a thoroughly good broad gauge road, as good as any in New Brunswick, and to carry the enterprise through in good faith, and we shall have a bridge at Fredericton.

Mr. DOMVILLE. I wished to refer to the bridge over the St. John in the interest of the member for Carleton, who, with others, has complained of the bridge across the river at Woodstock, which obstructs navigation, by preventing the passage of steamboats up the river at that point. For years the river has been thus impeded. I hope my hon. friend from St. John will be able to assure the House and the people of New Brunswick, that such a bridge will be built as will meet the requirements of the people on the upper St. John.

Mr. ANGLIN. As usual, when any company asks Parliament for liberty to bridge a navigable river, proper precautions are taken in the interest of the public, one of them being that the plan of the bridge be approved of by the Governor in Council, the Minister of Railways or Public Works, before the building is commenced. Such a provision, I have no doubt, will be made in this as in all similar Bills. This Bill does not ask any other privilege at present, but the extension of the road to the St. Lawrence. It does not ask for the disposal of the lands obtained from the Local Government. While not approving of the gift of lands in this way, the Company have had them so long in their possession, and have fairly earned them under the conditions prescribed, that they have a perfect right to sell them without reference to the interests of the public of the Province. The Local Legislature has no power to grant the privilege sought for by this Company, which makes it necessary for it to come to this Parliament.

Mr. DOMVILLE. I do not object.

Sir CHARLES TUPPER. I would like to ask the hon. member for St. John the contemplated distance between the present terminus of the road and the Intercolonial railway.

Mr. BURPEE, (St. John). About seventy miles, of which fifty miles is a well settled agricultural country.

Mr. GRANDBOIS. I wish to point out that if the Company only desire to arrive at the best terminus the Act and Charter of 1870 gives them that power.

Sir CHARLES TUPPER. These points will, of course, be raised in the Railway Committee, but in the meantime the Bill should go to the second reading.

Bill read the second time.

#### RATES ON CANADIAN PACIFIC RAILWAY.

Mr. BLAKE enquired, Whether there has been any correspondence between any member of the Government and the Quebec Government on the subject of rates to be charged on the Canadian Pacific Railway? Whether any agreement has been made on the subject? At what date such agreement, if any, was made; and whether it will be laid on the Table?

Sir CHARLES TUPPER. So far as I am aware there is no correspondence with the Quebec Government on the subject, and no agreement has been made. I may say that the matter is still under consideration.

#### BURROWING PITS IN THE COUNTY OF LISLET.

Mr. CASGRAIN moved for copy of the correspondence, evidence and award of — Simard, Esq. official arbitrator in the case of Lucien Morin, Antille, and several others of the parish of St. Roch des Aulnets, County of L'Islet, claiming damages from the Government on account of burrowing pits for the use of the Intercolonial Railway, opened on their several lands during the last season. He

Mr. BURPEE (St. John).

said: The reason the Government gave the other day for not producing these papers was, that there might be some private and confidential matter in the report to the Government which ought to be held back. I think the hon. Minister will see that these papers contain an award and the report of the official arbitrator upon which the award was based. This report may hereafter be brought before the whole Board of Arbitrators upon an appeal, it is, therefore, a public document and I do not see that the objection is valid. As I remarked the other night, I consider that an injustice has been done to these parties, that they have suffered heavy damages which have not been either assessed or paid, and I, therefore, renew the motion.

Motion agreed to.

#### JUDICIAL STATISTICS.

Mr. BLAKE, in moving for a statement of the population of each county, union of counties or district throughout Canada, to which is assigned a County Court Judge, and for any available statistics as to the judicial work therein, said: It is obvious that this motion is directed to the propositions on the Table with reference to the salaries of County Court Judges. Our information as to the population of the districts is not very satisfactory as contained in the public documents, because the census districts are arranged more with reference to the electoral divisions than with reference to the counties and other judicial divisions. Besides, it would be convenient to have in a tabulated form a statement of the population of the various judicial districts, some of which are composed of groups of counties. There are, I am aware—because I was instrumental some years ago in procuring them—some statistics in reference to the judicial work performed by each of the County Judges in 1877. I am not aware whether they have been carried down to a later period. Having regard to the general tenor of the resolutions before the House, I think that the information for which I seek is not immaterial to the consideration of the scheme which the hon. gentleman proposes to ask our assent to.

Motion agreed to.

#### NORTH-WEST GEOGRAPHICAL NAMES.

Mr. DAWSON, in moving for a return of all correspondence relating to the substitution of new names for ancient and historic ones in the North-West Territories, more especially along the route of the Pacific Railway, said he feared that but little correspondence could be brought down, and that it had been left to surveyors and engineers to give whatever names they chose to localities. However that might be, no greater outrage had ever been perpetrated. To discard the old and historic names for such new and outlandish ones as appeared on the maps of the Pacific Railway was to rob the country, in a measure, of its history. There was not a place or a district in the North-West Territories that had not a name already. The old names of places in a country were a sort of index to its history and the regions of the North-West had been occupied from time immemorial by Indians who had given names to every river and rivulet, and in fact to every place which had naturally any prominence. These names were some of them very beautiful, and all of them appropriate to and in some sense descriptive of the places to which they were given. The day was not far distant when all that would remain as a reminiscence of the once formidable but now withering Indian would be the names he had given to the haunts of his race, and were these to be swept away at the dictum of unappreciative and perhaps prejudiced men of a different origin, who sometimes assumed a superiority that the circumstances did not warrant?

The first civilized men who had penetrated to these regions, new so well known, were the enterprising and adventurous French who had come to this country before the days of chivalry had quite departed. They had had difficulties to contend with which could not now be estimated and had surmounted them all. Undaunted by wilds which seemed interminable, or by untamed savages—sometimes friendly but often hostile—they had penetrated to the interior of the continent; they had traced the Saskatchewan and the Missouri to their sources in the Rocky Mountains, and to their debouchment in seas until then unknown. Many of these explorers of a former day would live in history; their names were household words, and he would ask, where the names by which they had designated the scenes of their adventures and the places which, in many instances, had been consecrated by their blood, to be swept from the face of the land for which they had done so much, and replaced by others which had no connection whatever with the history of the country? Succeeding the French, or rather joining them, came the Scotch Highlanders, some of whom had come over from the neighboring Republic immediately after the war of Independence, leaving their all behind them rather than renounce their allegiance, while others of them were those, or the descendants of those who had left their native land on account of political troubles. Accompanied by the French voyageurs whom they found in the country, they crossed the Rocky Mountains and planted the British flag on the shores of the Pacific Ocean, and if British Columbia were to-day a part of the Dominion, it was due to the enterprise of those intrepid explorers, for it was by claiming the country on their discoveries that Great Britain was able, subsequently, to make good her right to that country in negotiations and treaties with the United States. The McKenzie, the Frazer, and a number of lesser rivers together with many a mountain lake, bore the names of these hardy explorers, but if this Vandalism in robbing a country of its history was to be permitted to go on, those names, like the old French and Indian ones, would be in time snuffed out and replaced by designations of a foreign and barbarous sound. He would run over a few of the new names to show the House with what strange sounds they must now become familiar: Lorfeden, Nordland, Linkoping, Upsula, Carlstad, Ostersund, Ingolf, Mounstrie, Varna, Donnocona, Buckstone, Raith, Hecla, and a host of others of equally foreign tone. Whatever might be the merit of these names, and some of them were those of obscure islands in icy seas, or of villages in the north of Europe with a population of 1,500 or so, they certainly had no connection whatever with the history of this country. Neither Swedes nor Russians had any claim to be commemorated in these regions. They were, however, in keeping with the spirit of Vandalism which seemed to have led to the blotting out of the old names for these new ones, for they had been taken, at least in part, from the early homes of the Goth and the Vandal. Our neighbors across the lines, although they sometimes adopted strange names, were careful, as a general rule, to preserve the historic ones, whether English, French, Spanish or Indian, or even Dutch. This was really an important matter, and he (Mr. Dawson) trusted that, in future, all names to be given to places should be submitted to the Government for approval before being finally adopted, and that every selection of a name made should be, as nearly as possible, that by which the locality was already known. It was over two hundred years since the first civilized men had reached the territories of the North-West, and yet the surveyors and engineers of the Pacific Railway treated these regions as a *terra incognita*, as a land which they had themselves discovered, and to which they were entitled to give names. Such impertinence on the part of mere employees in the public service should be at once and forever put a stop to.

Mr. GOURSOL. I rise to second the motion just made by the hon. member for Algoma (Mr. Dawson). I hope that he will thereby succeed in obtaining for himself and the country, relief from an abuse which has existed so long, and which has been so detrimental to the history of the country. The hon. member for Algoma has, by this motion, rendered a great service to his country. It is a fact that people attempting to travel by the old map of the country would never find their way to the shores of the Pacific. Everywhere have the names been altered; they have been disfigured, mutilated and rendered incomprehensible; names, which were an honor to the country, have been omitted or withdrawn, and in their place have been substituted names unknown to everybody. As an instance, this is how a few names have been translated: "L'anse Bérard," which is now the terminus of the Pacific Railway, has become Burrard Inlet; the "Lac de la Pluie," formerly called "Lac la Rinde," is now "Rainy Lake;" lake "Queue d'Oiseau" has become in English "Birdtail," which has been improved into "Bertle." It is not in such a manner, Mr. Speaker, that the historical souvenirs of the country should be preserved, especially when, as the hon. member for Algoma has pointed out, our American neighbors are doing all they can to trace back all such old historical names, instead of wiping them out. To show how carefully they preserve them, I will give an example. There was a place called "Pendant d'Oreille." The term popularly in vogue is "Pan d'Oreille." Headless of orthography, the Americans have placed it on their map as "Pan d'Oreille." The hon. member for Algoma rightly said that the country had been discovered by the French, and those who have read our history from the date of the conquest to the year 1870, would be surprised and astonished were they now able to find a single old name therein. What has become of the names of the old forts? It would have been easy to preserve names such as Iberville, Ste. Anne, St. Germain, Bourbon and Maurepas; all those names are to be found in history, but they have been mutilated, they have been changed; our employees have therein imitated a nation so great by its intelligence that I need hardly name it, the French nation, which has demolished the monuments whereon were inscribed the names of its victories and glories; they have cast these names aside in order to put others in their place. I hope, Mr. Speaker, that this will not happen in our own country; I hope it will not be left to our engineers to name and designate the various localities. Let them make out the plans, but let the Government be the sole judge of the names to be given. Let the Government take the old maps and it will find names worthy of being given to every place; it will bear in mind the names of those who have discovered the country, of those who have shed their blood in fighting against savage tribes, and it will remember that the Scotch, with the French, conquered the country, and so powerfully contributed to civilize it. I trust, therefore, that the Government will not leave to the engineers the right of taking the names of their families, relations or friends, to designate the different places in the west; and if these engineers are ignorant of the history of the country, the Government will, perhaps, supply them with maps which will give them the necessary information.

Mr. BLAKE said he was glad the hon. member for Algoma had brought up this matter. He sympathized a good deal with the views of the hon. member, and hoped that the attention of the Government would not be confined to the names on the Pacific Railway only, but would be extended to that North-West line which was now known as "The Dawson Route."

Mr. LANGEVIN. I must say that some three or four years ago, the names of the proposed stations on the Canadian Pacific Railway as contained in the reports laid

before the House by hon. gentlemen opposite, were all names strange to the country given by surveyors and engineers. I am glad the hon. leader of the Opposition now finds the old names given by the voyageurs and others should be retained. In British Columbia there is a lake called Lake la Hache, a name given it by voyageurs whose canoe loaded with axes became upset and the axes went to the bottom. That name is still retained, and there is no reason why it should be changed, as the name is easily pronounced. At another place a small river is called the River Tache, no doubt through its having been discovered by an ancestor of the venerable Archbishop of St. Boniface. At another place you find the River Mackenzie. Why change that name? We should keep the old names whether English, French or Indian, provided the latter are not unpronounceable. We should make it the business of officers not to destroy those landmarks.

Mr. MILLS. It was said by an old Roman writer, that when men were rising from the condition of barbarism, they left off their trade of cracking crowns and manufactured verbs and nouns. We are engaged very much in the same sort of business here to-night. Having no important measure to discuss, we have gone into a question of historical and geographical nomenclature for the North-West country. Are people who establish cities and villages there, to be of no consequence? Was the country to have no history between this and the day of judgment? It may be very important to retain those old Indian names. Many places have been misnamed. For instance, the most western county in Ontario, is called Essex; some antiquarian at some future period, may think that this was a settlement made from Michigan. So we have a county called Norfolk, which one might hereafter think was a settlement from the north side of Erie or Pennsylvania. Doubtless many European names have been employed and misapplied in this country; but the Government cannot undertake to regulate the naming of places in a country, nor can it preserve the names of places such as those given to particular localities in the North-West Territory. When you consider the vastness of the country and the small number of places particularly designated, you will see how very little Government have to do with the matter. When you look at the geographical nomenclature of England, you will see that every wave of settlement that came into the country, whether Roman, Saxon or Danish, impressed itself upon the geography of the country. So you can mark Danish settlements by places whose names end with the termination "by," such as Selby, Derby, etc., Roman settlements or camps by names ending with the termination "chester," "cester" and "caster." These people became an integral part of the population of the country. Subsequent events reach back to these indelible marks of their first settlement. But with what object are we seeking to preserve Indian names of places, or even those fixed by voyageurs? What important transactions have been connected with them to induce us to take a historic interest in preserving the particular nomenclature which they have given? The member for West Durham says we have a road called the Dawson. That was a very modern name, but my impression is that it is falling into desuetude, and others are still more likely to experience that fate. For the same reason the names given by the Indians and voyageurs who have gone to the North-West, will disappear. They are not the people who make a country or its history. At the same time, the principle of the survival of the fittest may be left to operate in the North-West. Names of historic interest will remain, and those of no importance will disappear. I was rather surprised at the instance given by the Minister of Public Works in dealing with this subject. He said that because a canoe was upset and some axes lost in the bottom of the lake, the event was of sufficient historic interest as to entitle it to give the name to a large sheet of water for all

Mr. LANGEVIN.

time. That may be his view, but it is not mine, nor do I think it will be the view of the great majority of the members of the House, or of the people who are to occupy that country. It seems to me we could employ our time better in the public interest than in undertaking legislation with a view to keep alive the names of the tribes of savages who have already become extinct. With regard to voyageurs and Indians, I think the matter of preserving their names may be left to take care of itself.

Mr. LANDRY. Mr. Speaker, I cannot allow the speech of the hon. member for Bothwell (Mr. Mills) to pass without protesting. The hon. member asks with astonishment, and I understand his astonishment, whether he is not acquainted with the history of his country, and what good the pioneers of these vast regions have done. Sir, if he went back a little, if he studied a little the history of the past few years, he would find names worthy of his attention, facts that he might meditate upon, and men whose example he might follow. He maintains that it is not for a few Indian tribes that have perished, and a few pioneers, to give their names to the different places in the North-West. That hon. gentleman may say what he likes, but when the hardy pioneers, armed with the cross of their God, and holding in their hand the standard of their King, went through these immense solitudes, treaded the virgin soil of the great forest of the new world, climbed steep mountain sides—there often to leave their lives—we should at least respect the names that tradition has handed down to us, and if we find them on the soil beneath our feet let us not wipe out the glorious mark; and the hon. member should be the first to respect tradition and accept the accomplished fact. I ask you, Sir, if we were to listen to our hon. opponent and accept his views, what name would we have to give to our continent if Americus Vespucci had not given his name to it, and what would British Columbia be called if the glorious discoverer of the new world had not found this land and left it a name that is dear to us? The far west has also its history; we should respect it, and cherish as a tradition the ancient names found therein. That is, perhaps, the only legacy that we possess of those bygone days, and I think that the hon. member for Bothwell, instead of opposing this measure, should join with all the members of this House and ask for this correspondence, which only requests that the Government should take the means of securing the preservation of the names that exist in those far off countries discovered by our ancestors.

Mr. DAWSON. The hon. member for Bothwell is the very last person I should have expected to hear say that those historic names were not worth preserving. He had himself written something about the history of this country, and he now seeks to obliterate it—that he should say that those Indians and voyageurs had done nothing and that their names should be swept away, is extraordinary. The member for Bothwell has remarked that succeeding waves of population in Europe and England have left their names and other traces behind them. Very true, but such waves of population have not as yet come to our North-West Territories. The names which I complain of are taken from people who have never been near the country, and who have no connection with its history; from barbarous races and countries in the north of Europe, which many of us never heard of before. I think it is very absurd to adopt these foreign names. And as to the hon. gentleman's complaint about our occupying the time of the House in this discussion, I think it has not been very improperly occupied in considering this matter. The hon. gentleman seems to think this a question of no importance, but I consider it one of very great importance.

Mr. HUNTINGTON. My sympathies at least go with the mover of the motion to an extent, that compels me to say that I would rather see the old names preserved. Good

taste is not always shown in the appropriation of new names. We are told that, in some places, owing to the respect paid to a great man, not only all the babies are named George Washington Smith, but all the places are called after that distinguished man. I think it would be far better, at least, that historic names should be preserved. And when one speaks of the history of the North-West, it would be better to speak of its traditions, for we do not know the history of that region. Then when names come to be selected, the question of pronunciation requires to be considered, for great injustice may often be done by indirect pronunciation. The names of the voyageurs have been spoken of, but they are sometimes very singularly pronounced. For instance, I remember, and I am not an old man, when travelling between Montreal and Quebec on the Grand Trunk, there was a place called Somerset, and I never passed that place but the conductor did not come to the door and cry out "Sain Morrissett." This is an instance of what may happen if unpronounceable names are given to places. I really sympathize with those who made and have supported the motion to this extent; but I think the beautiful, soft, liquid language of the Indians could be preserved in many cases as it has been, and if the history of the original settlers, the original pioneers, who performed the hardest labors and encountered so many perils in the early days of the country, could be preserved by means of suitable names, I would much prefer it to the modern practice of calling everyone such a name as Smith, because Mr. Smith happened to be a prominent man.

Motion agreed to.

#### RATES ON THE CANADIAN PACIFIC RAILWAY.

Mr. BLAKE, in moving for correspondence, telegraphic or otherwise, on the subject of the rates to be charged on the Canadian Pacific Railway, under the contract on the Table, said: It has been made to appear by the public prints, as well as by an answer given across the floor by the Minister of Railways to a question asked by myself, there has been some correspondence with the Toronto Board of Trade on the subject of rates to be charged on the Canadian Pacific Railway as affecting the interests of the Ontario railways, and it appears from the hon. gentleman's answer to my question that an agreement has been made on that subject, which arrangement he thought he would have no objection to place on the Table. That arrangement has been made public. It seems to be contained in a proposal from the Toronto Board of Trade submitted to the Minister, and a telegraphic response on his part, that it is unobjectionable and it is agreed to. I had supposed, from the same sources and other sources of information, there had been some correspondence between the Quebec Government and this Government on the same subject as affecting the interests of that Province and its Government railway, but the hon. gentleman's statement this evening has shown I was mistaken.

Sir CHARLES TUPPER. I said so far as I was aware.

Mr. BLAKE. I withdraw my statement. I understood the hon. gentleman to speak more precisely than he now appears to have done. I still suppose that some sort of correspondence has taken place, as I can hardly assume that all we know to have been going on has taken place without some discussion on the subject of rates as affecting Quebec very importantly. That there should have been an arrangement made by the hon. Minister as to the rates to be charged on the Canada Pacific Railway with the Toronto Board of Trade implies, I apprehend, some correspondence with the gentlemen to whom he has agreed to hand over that railway. He has it not in his power absolutely to agree to a system of rates without discussing it with those

gentlemen, and I therefore assume, inasmuch as the hon. gentleman did agree with the Toronto Board of Trade, that a certain system and mode of charging rates would be adopted, that he has had correspondence with the gentlemen who largely control the railway, who are forming the railway company, in which he obtained their assent. I am a little staggered in that view which I certainly entertained, when I placed the notice on the paper, by what I see in to-day's Toronto paper, which states that the members of the Syndicate have declined to accept the arrangement which the hon. gentleman made with the Toronto Board of Trade—because I can hardly suppose the hon. gentleman would have made that arrangement without, at all events, consulting his friends, the Company. But I will still assume, until the hon. gentleman informs me that I am in error, some correspondence with the Company or some of its members took place with respect to an agreement with the Toronto Board of Trade with respect to the rates of the Canadian Pacific Railway. There is quite another class of correspondence which would throw light on this subject, and the motion is directed to eliciting the facts and obtain the correspondence, if any. The House is aware that, in the course of the debate on the subject of the Canadian Pacific Railway, a pledge was given that the General Railway Act was to be altered in many particulars to importantly affect the construction of the Pacific Railway under the contract, to affect it in such a way that the rates and fares on that railway might be very seriously altered by the proposed change in the Railway Act. I am desirous of knowing whether there has been any correspondence with the Syndicate or any of its members upon this subject as affecting the rates and fares to be charged on the Canadian Pacific Railway, and if there has been any such correspondence and an agreement they should be brought down. These are the reasons why I submit the motion.

Motion agreed to.

#### COMMUNICATION WITH P. E. ISLAND.

Mr. YBO, in moving for correspondence with the Department of Railways during the past two years, in reference to building lines of railway from the Intercolonial Railway to Cape Tormentine and from Cape Traverse to the Prince Edward Island Railway, said: Under the terms of Union between the Island and the Dominion it was agreed that communication should be kept up with the Island both winter and summer by the Dominion Government. The subject has been many times before this Parliament, and promises have been made for the construction of a railway from the Intercolonial line to Cape Tormentine, and from Cape Traverse to the Prince Edward Island Railway. The late Government surveyed the line on this side, and expected to have commenced work immediately. The present Government then came into power; but although they have been three years in office, nothing has been done. Meanwhile the people of the Island are suffering; and during the present winter no mail crossed during a fortnight, which was a very serious matter to business men. It was altogether too bad that the Island should have been kept in this condition for so many years. Meetings have been held by the people all over the Island, as well as in that part of New Brunswick which is interested in this question, pressing on their representatives and the hon. Minister of Railways the necessity of at once beginning this work, and I trust that this will be the last time we will have to urge the matter upon the attention of the House; and that we shall find, when the Estimates come down, that provision has been made to begin this work at once. In fact, if nothing is done by the end of this Session the people of the Island are determined to appeal to the Imperial Government if the terms of the Union are not carried out. This is the unanimous feeling from one end of the Island to

the other. The severity of the labor which these men have to undergo in crossing over in these small boats would not be believed by those who have never crossed the strait. I think the Government should provide for the building of sheds for the boats of these men; as it would only require a small amount, and as the men themselves are very poorly paid. The Government has nearly the united support of the representatives from the Island; there is only one member in opposition to them in this House and another in the Senate, and if they go on with this work I believe they would have the support of the whole Island. The Minister of Railways told us last Session that the surveys had not been completed; but that is not the case at the present time, and when the papers come down I hope we will have some light on the subject.

Motion agreed to.

#### RETURNS.

The following motions for returns were severally agreed to:—

Return showing the cost of the surveys and location of the second 100 miles west of Red River of the Canadian Pacific Railway, from 1st January, 1879, to 1st February, 1881.—(Mr. Guthrie.)

Statement or estimate of the quantity and value of the iron for bridging on the Canadian Pacific Railway, from Selkirk to Kamloops, and for such information as to the number, length and character of the bridges as is in the possession of the Government.—(Mr. Glen.)

Correspondence in relation to the purchase of a property for the establishment of a Post Office in the Town of Sorel.—(Mr. Geoffrion.)

Return showing the names of all persons employed: 1st, as permanent French Translators; and 2nd, as Sessional French Translators, of this House, from the 1st of January, 1874, to the 1st of February instant, with the amount of money paid per month or per day, as salary or wages to each of them respectively, for each month within the same period.—(Mr. Scriver.)

House adjourned at 10:20 o'clock, p.m.

### HOUSE OF COMMONS.

MONDAY, 14th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PRIVATE BILLS.

The following Bill was read the third time and passed:—

Bill (No. 27) to amend the Act 43 Vict. Chap. 61, intituled an Act to incorporate the Assiniboine Bridge Company.—(Mr. Scott.)

#### THE LAND IMPROVEMENT FUND.

Mr. HESSON moved for copies of all papers and correspondence between this Government and the Government of Ontario, in relation to the debt said to be due by the Dominion to certain townships in the Province of Ontario, under the name of the Land Improvement Fund; also, for copies of that portion of the award made and confirmed between the Provinces of Ontario and Quebec, relating to the settlement of the Crown lands and Common School lands account, whereby so large a sum as \$226,456.86 is said to be due to certain Ontario municipalities; also for all Orders in Council in relation thereto. He said: This is not the first time I have brought this matter to the attention of Mr. Yeo.

the Government. This Land Improvement Fund was established by 16 Vict. Chap. 159, Section 14 of which reads as follows:—

"It shall be lawful for the Governor in Council to reserve out of the proceeds of the school lands in any county, a sum not exceeding one-fourth of such proceeds, as a fund for public improvements within the county, to be expended under the direction of the Governor in Council, and also to reserve out of the proceeds of unappropriated Crown lands in any county, a sum not exceeding one-fifth as a fund for public improvements within the county, to be also expended under the direction of the Governor in Council; provided always, that the particulars of all such sums, and the expenditure thereof, shall be laid before Parliament within the first ten days of each Session; provided always that not exceeding six per cent. on the amount collected, including surveys, shall be charged for the sale and management of lands forming the Common School Fund, arising out of the one million acres of land set apart in the 'Huron Tract.'"

This 1,000,000 acres of land appears to have been set apart a short time previous to 1859, and the price was fixed at \$2.50 per acre for the school lands and \$2 per acre for Crown lands. Settlement proceeded very slowly. The country was then known as the Queen's Bush, the roads were very bad, and it was found necessary to establish a more liberal policy. That was done upon the recommendation of the Commissioner of Crown Lands, Doctor Rolph, by an Order in Council, and the price was reduced to \$2 per acre for school lands, and to \$1.50 per acre for Crown lands. Payments were made from time to time to the municipalities interested in this fund, under this Act, at the rate of one-fourth of the proceeds of the school lands, and one-fifth of the proceeds of the Crown lands, until an Order in Council was passed on the 6th of March, 1861, cancelling further payments from future sales. I contend that that Order in Council did not apply to the proceeds of any sales made prior to the Order in Council, that it could not be retroactive, and that the municipalities interested in that fund cannot possibly be deprived of the receipts arising, after 1861, from the sales made up to that date. I hope to have, in this matter, the assistance of the hon. leader of the Opposition, for I find that when that hon. gentleman had the honor of representing the county of Bruce, he made an effort to obtain, for the municipalities chiefly interested in that fund, their proper rights. On reference to the journals of the Legislature of Ontario for 1869, under date of November 25th, I find the following:—

"On motion of Mr. Blake, seconded by Mr. McKellar,"

"*Resolved*—1. That by the Land Act of 1853, it was enacted that it should be lawful for the Governor in Council to reserve out of the proceeds of the school lands in any county, a sum not exceeding one-fourth of such proceeds, as a fund for public improvements within the county, to be expended under the direction of the Governor in Council, and also to reserve out of the proceeds of unappropriated Crown lands, in any county, a sum not exceeding one-fifth, as a fund for public improvements within the county, to be also expended under the direction of the Governor in Council.

"2. That on the 7th of December, 1855, an Order in Council was passed, reciting that applications had been made for aid from the Improvement Fund created by the said Act, and directing that the Crown Lands Department should appraise the Inspector General of the amount at the credit of each county for the proceeds of sale of both Crown and School lands, so that the proportions accruing to the Improvement Fund might be set apart by the Receiver General for that purpose.

"3. That the petitions presented to this House on the subject of the Land Improvement Fund, be referred to a Select Committee, composed as follows:—The Hon. Messrs. Wood, Richards; Messrs. Ferrier, Finlayson, Galbraith, Pardee Boulter, McKellar, and Blake; with power to send for persons and papers."

I find that that Committee made a report, and I desire, for the information of this House, to read that report in order to support the claim I am now making on behalf of the municipalities that are asking to be paid the proceeds of the sales of lands made prior to 1861. The Report reads:

"REPORT of the Select Committee on the Land Improvement Fund.

"To the Honorable the Legislative Assembly of Ontario:

"The Select Committee to whom was referred the petitions relating to the Land Improvement Fund, begs leave to report as follows:—

"The Committee have held many meetings, and examined numerous witnesses and papers, and carefully considered the matter referred to them, and they find unanimously:

"1. That on the 7th of July, 1852, the Government of the day past an Order in Council in the words following:—Upon the memorandum submitted by the Commissioner of Crown Lands relative to the school lands in the Counties of Grey and Bruce, the Committee of Council recommend that the reduction in price from 12s. 6d. to 10s. an acre, as suggested, be approved, and that the regulations laid down in the said report be adopted, and further that a measure be submitted to Parliament to authorize the expenditure of a sum equal to 2s. 6d. an acre of the purchase money on the improvement of the roads and harbors within the said counties, and the Committee further recommend that not more than 200 acres be sold to any one individual, except upon special recommendation of the Commissioner of Crown Lands approved by His Excellency in Council.

"2. That by the Land Act of 1853, it was enacted that it should be lawful for the Governor in Council to reserve out of the proceeds of the school lands in any county a sum not exceeding one fourth of such proceeds as a fund for public improvements within the county, to be expended under the direction of the Governor in Council, and also to reserve out of the proceeds of unappropriated Crown lands in any county, a sum not exceeding one fifth as a fund of public improvements within the county, to be also expended under the direction of the Governor in Council.

"3. That at this period there were large tracts of Crown and school lands in various counties unsettled, and it was the policy of the country to encourage the settlement thereof as much as possible.

"4. That one of the greatest obstacles to settlement was the want of roads and bridges, and it was in order to induce the speedy settlement of the country, by providing means for the construction of such works that the said Order and Act were passed.

"5. That shortly after the passing of the said Act, large numbers of persons purchased and settled on the vacant Crown and school lands, and within a very few years they were well settled, four-fifths of the school lands having been settled in 1853, 1854 and 1855.

"6. That the general belief and opinion of the settlers was that they would be entitled to have one-fourth of the price of school lands, and one-fifth of the price of Crown lands expended within the municipalities in the construction of roads and bridges.

"7. That this belief and opinion was entertained by several of the Crown Lands agents who sold the lands.

"8. That several of such agents stated to the intending settlers, that if they became settlers, one-fourth of the price of school lands, and one-fifth of the price of Crown lands would be so expended as aforesaid, and that thus the price of their lands was practically less than the stated price by these amounts which would otherwise have to be raised by local taxation for the same purposes.

"9. That large numbers of settlers purchased on the understanding with the agent stated in the preceding paragraph, especially in the County of Bruce, where the population increased from 2,837 in 1852, to 27,494 in 1861.

"10. That the Government of the day, in an Order in Council, dated on 27th February, A.D. 1855, referred to the Improvement Fund as being established by the Land Act of 1853, and ordered certain expenditure thereon; and in another Order in Council, dated on 27th March, A.D. 1855, further assumed the existence and availability of the fund.

"11. That on the 7th December, 1855, the Government of the day in an Order in Council, referred to the said fund in the words following:—The Minister of Agriculture also brings under Your Excellency's notice that numerous applications have been made for aid from the Improvement Fund, created by the 14th section of the Land Act, 16th Vict., Chap. 159, which authorizes one-fourth of the proceeds of the sale of school lands, and one-fifth of those of Crown lands to be expended in the several counties in which the sales are effected. That none of this fund has, as yet, been set apart from the sales hitherto made, although an Order in Council has been passed for the expenditure of \$25,000 thereout. That it appears requisite that the Crown Lands Department should be directed to appraise the Inspector General of the amount at the credit of each county for proceeds of sale of both Crown and school lands, that the proportions accruing to the Improvement Fund may be set apart by the Receiver-General for that purpose. Out of the Improvement Fund referred to, he recommends that the following sums be appropriated for the objects hereafter stated, viz:—(Stating several applications.)

"12. That on the 28th day of July, A.D. 1856, the Government of the day passed an Order in Council in the following words:—In reference to the Fund for Public Improvements, formed under the 14th section of the Act, 16 Vic., Chap. 159, the Committee recommend that the funds derived from the sales of lands in each particular township, or other municipality, and applicable to the purposes of this fund and not already apportioned, be applied to the making, maintaining, altering, or improving the roads or bridges in each of those townships or other municipalities, respectively, and be for this purpose distributed and disposed of by and through the Municipal Council of each such township or other municipality; each such Council to report to the Bureau of Agriculture the manner of expenditure of all such monies, on the first days of January and July in each year, and at any intermediate time within ten days after having been called upon so to do by that department.

"13. That on several occasions during the years 1857, 1858, 1859, and 1860, the Government of the day, by Orders in Council, appropriated to purposes of local improvement, moneys arising out of the Improvement Fund.

"14. That books were opened in the Crown Lands Department, labelled, 'Road Improvement Fund,' with a heading to each page, in the words, 'Statements of the amounts available for public improvements on sales of Crown Lands, Grammar School Lands and Common School

Lands, under 16 Vict., Cap. 59, sec. 14, in each township, in the County of \_\_\_\_\_, in which books the accounts of the fund were kept.

"15. That on the 6th March, A.D. 1861, the Government of the day made an Order in Council in the following words:—'On the recommendation of the Honorable the Commissioner of Crown Lands, the Committee advise that the Order in Council of 7th December, 1855, authorizing the payment of the Improvement Fund created by the Land Act, 16 Vict., Chap. 159, be rescinded,'—but no order has been made rescinding that of 28th July, 1856.

"16. That no part of the Improvement Fund accruing since the 6th March, 1861, has been applied to the purposes of the fund.

"17. That large sums of money have since 6th March 1861, been received by the Government of the late Province of Canada, from the sales of Crown and school lands, made between the date of the passing of the Land Act, and the 9th March, 1851.

"18. That further, large sums have been received on account of such sales by the Government of Ontario, and further, large sums remain due on account of such sales.

"19. That large sums have been expended, and large debts incurred by the various municipalities for the construction of roads and bridges, which would otherwise have been in whole or part constructed by means of the Improvement Fund.

"20. The Committee beg leave further to report that they have appended to this their Report, the evidence of the witnesses, all of whom were persons of credit, and the material papers produced.

"21. The Committee beg leave, lastly, to report that they abstain from stating any opinion or making any recommendation, because they understand the order of reference to confine them to the ascertainment of the facts for the information of the Legislature.

"All of which is respectfully submitted.

"T. B. PARDEE,  
"Chairman."

I desire, in connection with this report, to call attention to the provisions of the British North America Act, with respect to the management of the Trust Fund. Section 109 says:

"All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia, and New Brunswick at the Union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the several Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same are situate, or otherwise, subject to any trusts existing in respect thereof, and to any interest other than that of the Province in the same."

Section 111 provides:

"Canada shall be liable for the debts and liabilities of each Province existing at the Union."

Section 142 states:

"The division and adjustment of the debts, credits, liabilities, properties and assets of Upper Canada and Lower Canada shall be referred to the arbitration of three arbitrators, one chosen by the Government of Ontario and one by the Government of Quebec, and one by the Government of Canada; and the selection of the arbitrators shall not be made by the Parliament of Canada until the Legislature of Ontario and Quebec have met; and the arbitrators chosen by the Government of Canada shall be a resident either in Ontario or Quebec."

Under these sections by the British North America Act, arbitrators were appointed. I find that the following gentlemen were nominated for that position: Hon. D. L. Macpherson, for Ontario; Hon. Charles Dewy Day, for Quebec; and the Hon. John Hamilton Gray, for the Dominion Government. The arbitrators met from time to time, and on the 20th September, 1870, made their award. Clause 5 of the award reads as follows:—

"That the following special or trust funds and the moneys thereby payable, including the several investments of the same or any of them, are, shall be, and the same are hereby declared to be the property of and belong to the Province of Ontario, for the purpose for which they were established."

Amongst the various trusts named, some nine in number, I find the Upper Canada Land Improvement Fund, the one for which I now press this claim against the Dominion Government, who are but the trustees of this fund on behalf of the Province of Ontario, and are held to be responsible for its management. In a statement accompanying the award marked "A. A.," showing the debt of the late Province of Canada—under the head "Miscellaneous—liabilities payable in cash," I find the following sums, viz:—Due Upper Canada Land Improvement Fund prior to abolition of Order in Council, \$5,119.08; one-quarters receipts of Crown lands sales during the existence of the Upper

Canada Land Improvement Fund from the day of the abolition of that fund to the 1st day of July, 1867, \$124,685.18; one-fifth receipts on Crown lands so sold and money so received, \$101,771.68, making a total due of \$231,575.94. To this sum I contend interest ought fairly to be added, as the municipalities are fairly entitled to the interest which is paid on their trust funds. In this connection, I am advised the Government have charged no less than 20 per cent. for the collection and management of those moneys. Whereas section 14, of 16 Vict., Chap. 159, says:

"Provided always that not exceeding six per cent. on the amount collected, including survey and management of Crown Lands Fund, shall be chargeable."

The Hon. S. C. Wood, Treasurer of Ontario, in a letter addressed to the hon. Finance Minister, says as follows:—

"The Government of Ontario are simply the agents through whose hands the money will pass, as when it is received from the Dominion, it will be immediately paid over to the different municipalities entitled to it. The two amounts of \$124,685.18 being one-fourth of the school lands, and \$101,771.68, being one-fifth of the Crown lands, make up a total of \$226,456.86, and as I am in constant communication with the representatives of the various municipalities entitled to receive these funds, I shall be pleased to learn of your intention with reference thereto and as to whether you propose to take a vote in the Supplementary Estimates to enable you to make an early payment of these sums.

"I am, my dear Sir,

"Very truly yours,

"S. C. WOOD,

"Treasurer."

That an Order in Council was made, and that the Dominion Government considered themselves bound by the decision of the award, is further illustrated by a communication addressed by the Hon. E. B. Wood, late treasurer of Ontario, under date 1870, to the then Finance Minister, the Hon. Sir Francis Hincks, which reads as follows:—

"You will recollect the discussions we had on this fund, and the conclusions to which you informed me your Government had come, that inasmuch as the arbitrators in dealing with the Common School Fund would necessarily have to decide as to the allowance or disallowance to the Upper Canada Land Improvement Fund of one-fourth of the receipts from common school lands paid between 6th March, 1861, and 1st July, 1867, on school lands sold between 1st June, 1853, and 6th March, 1861, your Government would be bound by and follow that decision in respect of one-fifth of the receipts from Crown lands sold and paid during the respective periods above mentioned, and you informed me that an Order in Council to that effect had been passed. The arbitrators have decided that one-fourth of the proceeds of the common school lands shall be added to the improvement fund, therefore, your Government is bound by its solemn promise to add to the same fund one-fifth of the proceeds of the Crown lands."

This is now the third time I have brought this matter before the House, and I consider that there should be no further delay in doing justice to the municipalities interested, many of which are interested to a large amount; in Perth, for instance, the amount received by the Dominion Government on Crown lands having reached \$58,265.91, and on school lands \$107,457.57. The award made has been approved by the Privy Council. There is, therefore, no reason why the Government should decline any longer to pay that money to the Province of Ontario, which will then distribute it to the municipalities interested. I do not charge the delay alone against the present Government. The late Government held office for five years during which efforts were made to bring matters to an issue and have the money paid over to the Ontario Government. I can see no advantage to the Dominion Government in continuing this state of things, while they pay as high as six per cent. on trust funds, one-quarter and one-fifth of which respectively belongs to the country—five per cent. for a very large amount, and six per cent. for a smaller portion; while the counties and townships entitled to the money are paying six or seven per cent. in many cases for the money they require to carry on to completion the public works for which this fund was first created. I am further informed, in the communication to which I have already referred from the Hon. S. C. Wood to Mr. HESSON,

the Finance Minister, that it was the intention of the late Government to have brought the matter to a final settlement immediately after the elections. The following is the statement:—

"The Government of Ontario are particularly anxious that a settlement should be arrived at as between this Province and the Dominion of Canada, and for that purpose pressed upon the late Finance Minister the necessity of a final adjustment of the accounts. It was the intention on the part of the late Government to take up that question immediately after the elections."

Not having been elected to office, the late Government cannot be held responsible for the present delay. I trust the Government will see the delay is not continued longer. It is beyond question that since the arbitrators have given their award, since the award has been approved by the Privy Council, this Government have nothing to do but either pay the money, or, at all events, the interest regularly until they are in a position to pay the principal. I am informed the Government are in possession of funds that are now deposited in various banks of the Dominion that are paying four per cent. It would be much wiser to pay that money over to the Province of Ontario, which will repay it to the municipalities. I see that this matter was brought before the Local House only a few days ago, and that the responsibility for the delay was thrown on the Federal Government. I am exceedingly sorry that it should be chargeable with a delay of this nature, when the only reason could be that the matter had not been properly brought to its notice. Perhaps I have not, myself, placed it as strongly before this Government as I ought. I feel on this occasion that I have discharged my duty to my constituents, and I hope I shall have the assistance of hon. gentlemen opposite, as well as that of the Federal Government, in striving to save the various municipalities from being called upon again to make application to this or the Ontario Government for the payment of the dues to which they are honestly entitled.

Sir LEONARD TILLEY. This matter has been delayed in order to obtain from the Deputy Minister of Finance, some information for submission to the House. That officer has placed in my hands a memorandum which I shall read, and then hand to the hon. gentleman (Mr. HESSON). It is as follows:—

"By the 7th clause of the award of the arbitrators, the sum of \$124,685.18 being part of the Common School Fund is to be placed to the credit of the Upper Canada Improvement Fund. The clause is as follows:—

"VII. That from the Common School Fund as held on the thirteenth day of June, 1867, by the Dominion of Canada, amounting to \$1,733,224.47, (of which \$58,000 is invested in the bonds or debentures of the Quebec Turnpike Trust, the said sum of \$58,000 being an asset mentioned in the fourth schedule of the British North America Act of 1867, as the Quebec Turnpike Trust) the sum of \$124,685.18 shall be, and the same is hereby taken and deducted and placed to the credit of the Upper Canada Improvement Fund, the said sum of \$124,685.18 being one-fourth part of moneys received by the late Province of Canada, between the sixth day of March, 1861, and the first day of July, 1861, on account of common School lands sold between the 14th of June, 1853, and the said 6th of March 1861."

"The balance at the credit of the Common School Fund is, by the Dominion balance sheet, \$1,645,644.47, and is derived as follows:—

Balance, 30th June, 1867.	\$1,733,224 47
Less amount, Quebec Turnpike Trust, Debentures	58,000 00
Less amount, Quebec Turnpike Trust, Debentures	29,580 00
	87,580 00
	\$1,645,644 47

"How the amount \$124,685.18 was arrived at I have no means of knowing, as all books, papers, etc., relating to the Crown Lands Department were transferred to the Provinces at the time of Confederation; but, I find the sum is detailed in a return, No. 26, of 1880, rendered by the Crown Lands Department to the Legislature of Ontario. With the exception of one letter from the treasurer of Ontario of the 22nd March, 1879, there is no correspondence, and that letter only mentions the amount payable under the award.

"By the 8th clause of the award the residue of the Common School Fund is appropriated between the Provinces, and it would be incon-

venient, to say the least, to distribute any funds before a settlement is arrived at with the Provinces.

"I see, however, no reason why the Ontario Government might not, in anticipation, pay the sum over to the municipalities if they see fit."

This memorandum is signed by Mr. Courtney.

Mr. BLAKE. What are the conclusions of the Minister of Finance? Does the Deputy Minister of Finance represent his views on the subject? I do not enquire whom he represents as to the facts; but he favors us with his opinion—is that the advice tendered by the Minister?

Sir LEONARD TILLEY. Certainly not. We will not interfere with this matter.

Motion agreed to.

#### QUEBEC AND LAKE ST. JOHN RAILWAY.

Mr. CIMON, in moving for a copy of the report of A. L. Light, Esq., Chief Engineer of the Province of Quebec, addressed to the Government of Canada, at their request; and respecting the Quebec and Lake St. John Railway and the Quebec and Lake St. John Railway Company, said: I deem the occasion favorable for drawing the special attention of this House and of the Government to the importance, from a general point of view, of building a railway from Quebec to Lake St. John. It is quite certain that it is in the interest of this Government to grant a subsidy in order to hasten the completion of this railway. The first time that mention was made of this railway on the floor of this House, was during the Session of 1873. The late Mr. Wm. Price, who was then the representative of the county of Chicoutimi had recommended it to the Government. But the hon. member for West Durham (Mr. Blake), now leader of the Liberal party, remarked that the Federal Government could not build local railways unless they were to serve military purposes, and as a railway from Quebec to Lake St. John's was entirely foreign to all military movements in this country, it was not within the power of this House to deal with this matter. There was nothing surprising in this statement. The hon. member for West Durham (Mr. Blake) has always found reasons for opposing the great works required for the development of the country. Then, during the fall of 1873, the Liberal party comes into power. The hon. member for Lambton (Mr. Mackenzie) forms his Administration. I take the place, at the general elections, of the late Mr. Price. I was sent here by my electors to attend in a special manner to this project of a railway from Quebec to Lake St. John. But the Liberal Government was then in power, and as the hon. member for West Durham (Mr. Blake) was one of the most important members of the Cabinet, and as he had already declared that the Federal Government could in no way help this railway, I had but little hope of seeing it aided. Yet I wished to do my duty, and during my first Session I mentioned before this House the importance of such a railway, but without success. During the following Session I obtained no better results. In 1876 I enquired of the Government whether it was their intention to help the railways of the Province of Quebec, and the hon. the first Minister (Mr. Mackenzie) said it was not. Later, during the same Session, I again drew more particularly the attention of the Government to the necessity of securing the construction of a railroad between Lake St. John's and Quebec. But the Liberal Government, that were to leave only ruins behind them, paid no heed. Then came the Session of 1877. I continued my crusade in favor of this national enterprise. His Grace, the Archbishop of Quebec, and several citizens had addressed a petition to the hon. member for Lambton (Mr. Mackenzie), requesting him to be pleased to aid the construction of a railway from Quebec to St. John's. I hastened to ask, in the House, whether it was the intention of the Government to yield to the wishes of his lordship, the

archbishop, and the other citizens. The hon. member for Lambton (Mr. Mackenzie) answered that such was not his intention. The following year, in 1878, I renewed the attack; and I experienced on the part of the Liberal Government the same disposition to do nothing for our railway. The Liberal Government had even refused to lend us the old iron rails taken off the Intercolonial. After the Session of 1878 the Government of the hon. member for Lambton (Mr. Mackenzie) went before the people, and they were condemned on account of their administrative misdeeds, their incapacity, and their bad-will towards the Province of Quebec, to ignominiously step down and out. I was, therefore, satisfied and my electors were rejoiced, to see that at length we were rid of that Administration. I had in vain asked them to help this great national enterprise of building a railway to Lake St. John. I had been received with nothing but energetic refusals. Then, however, I met in this House with friends of the undertaking, with friends of Lake St. John. During the same sitting I had the pleasure of seeing the hon. the present Minister of Public Works (Mr. Langevin), the hon. member for Terrebonne (Mr. Masson), the hon. the present Minister of Militia (Mr. Caron), the hon. member for Hochelaga (Mr. Desjardins), and several other members get up and speak eloquently in favor of the Saguenay, and of Lake St. John, and state that the Government ought to do something for Lake St. John. My efforts have not been useless, for I see to-day in the Government the hon. Minister of Public Works and the hon. Minister of Militia, both true friends of Lake St. John. I am happy that I have always supported them and had confidence in them. Since they are now in power, since they know, from the special point of view of Canada and from the special point of view of their Province, the immense benefit that would be derived from the construction of this railway from Quebec to Lake St. John, I am convinced that some day or another the Federal Government will help this undertaking. We must not cease, Mr. Speaker, to importune the Government, to even harass them, on this subject until at length our efforts are crowned with success. I have more confidence than ever, for never was the cause of a railway from Quebec to Lake St. John's so popular as it is to-day. The Federal Government and the Quebec Government both recognize its importance. All the members from Lower Canada ardently desire that this road shall be built; the clergy want it, and the people of the Province of Quebec are loudly asking for it. It must, therefore, be built. During the Session of 1879, the first, under the present Government, I saw with great pleasure the hon. member for Portneuf (Mr. Vallée) plead skillfully before this House the cause of this railway, and I hastened to thank him for having done so. Last year, the same hon. member for Portneuf spoke of it again, and I seconded him. The hon. member for Montmagny (Mr. Landry) was kind enough to support us on that occasion. We are, therefore, rejoiced to know that the hon. the Minister of Railways (Sir Charles Tupper) wishing to make himself at once thoroughly acquainted with this railway scheme, entrusted an engineer with making a report for him. This is a decisive step. The Government of the hon. member for Lambton positively refused to take any interest in the question. The present Government not only promise that they will attend to the matter, but they are actually doing so. I believe this is the time to urge the matter more strongly than ever upon the Government and this honorable House. I have confidence in the spirit of patriotism and the practical spirit of hon. Ministers and of the hon. members of this House. The Federal Government must, of a necessity, help in the building of the Lake St. John Railway, and that they will do so, I am satisfied. And, why must the Federal Government aid the construction of this railway? I will state, in the first place, that the building of the great Canadian Pacific Railway is now assured and

settled, and that it will be done without the Federal treasury being greatly affected. We have, therefore, the means left of helping other railways. We have, thanks to the good administration of our friends on the Treasury benches, money enough to satisfy the aspirations of the people of different parts of the country. The northern part of the Province of Quebec has never received anything. It is its turn now. That part of the country should have the preference. The Quebec and Lake St. John Railway offers itself as the most important scheme, and as the one that will produce the best results. Let us put faith and efforts in that direction. But there is a great political reason. I say that this Quebec and Lake St. John Railway is a natural enterprise. It is of the most urgent necessity that we should develop colonization in the great fertile valley of Lake St. John, and utilize its resources. We must, as soon as possible, pour in a large population there. And why? Because, in a few years, the North-West will contain a large population. In twenty-five years hence there will, perhaps, be three or four Provinces in the North-West. They will have a good many representatives in this House. And what will be the result? Why political influence will be going westward. The interests of a great part of the Province of Ontario will be identical with those of the North-West Provinces. The Province of Quebec and the Maritime Provinces will not offer, perhaps, a sufficient counterpoise to this influence coming from the North-West. And the Western Provinces will trouble themselves very little about the Province of Quebec and the Maritime Provinces; and, provided their own interests are protected, they will in no wise hesitate to send their products to New York or Portland, rather than to Quebec or Halifax. Confederation would then be threatened with dismemberment. We must consequently foresee such a result and provide the remedy beforehand, by increasing the resources and the population of the eastern Provinces. Now, there remains but little colonization to be done in the Maritime Provinces. It is only in the Province of Quebec where there remain vast regions to be opened to colonization, and the finest and most extensive of these regions is, without question, the Saguenay and Lake St. John district. There is no doubt but that if the Government were to build a railway to Lake St. John before long we would be able to form there a separate Province, as populous, as rich and as flourishing as any of the North-West Provinces. That would be one more Province in the east; and if we are to remain united as a Confederation, we require this Province to counterbalance the influence of the North-West. There is something more. Many complaints are made that Canadians in the Province of Quebec are leaving every year in great numbers for the United States. In opening, by means of a railway, this great region of the Saguenay to colonization, would we not be drawing all the Canadians in that direction? Would we not be turning their attention away from the United States? Would we not be performing a great act of patriotism? The Federal policy should not only tend towards bringing immigrants into the country; the Federal Government should also adopt the means of keeping the Canadians within Canadian territory. Since it is stated that it is the French-Canadians who are flocking in the greatest numbers to the United States, then we could not choose a place where they would like to go better than to the Saguenay and to Lake St. John, provided we give them easy means of communication with Quebec. But what is this great region of the Saguenay and Lake St. John? In 1832, as Mr. Bouchette tells us in his topographical dictionary, there were in this vast territory, besides the Indians, only ten families, employed by the Hudson's Bay Company in the fur trade. As late as 1842 this country was in the wildest possible condition. The Hudson's Bay Company had held this territory under a lease for many years. It was the finest hunting

Mr. CIMON.

ground they had, and naturally enough they wanted to keep it. For that reason they endeavored to keep its resources hidden. They prevented, by all possible means, colonization from penetrating there. It was only in 1842 that the last lease expired. Until then, says the Minister of Crown Lands of that day, in his report of 1845, the Government had not ventured to have surveys made for colonization purposes, being under the impression that they had not the right to do so. It is not, therefore, astonishing, if during a long time there existed prejudices against the climate and soil of the Saguenay and Lake St. John. The Hudson's Bay Company, by spreading these prejudices, were following the line of conduct long pursued with regard to the North-West. Until the time when the Canadian Government acquired the North-West, this territory had a still worse reputation than the Saguenay. It was only looked upon as an ice-bound region, inhospitable and unfit for settlement. These prejudices have disappeared. Those against the Saguenay have likewise disappeared. The territory of the Saguenay and of Lake St. John, comprising all the territory between Quebec and Lake St. John, through which the road is to pass, the occupied and surveyed lands as well as those not surveyed, according to the data of the Quebec Crown Lands Department, embrace an extent of land fit for cultivation of about 3,500,000 acres. This figure is of some importance, as it will be seen, especially when we consider that the Provinces of Nova Scotia and New Brunswick, with a population of 670,000 souls, only have 2,800,000 acres under cultivation. But what is the climate and what is the quality of the soil of this immense territory? I will give this honorable House an idea of it. I shall cite an impartial opinion, that of Mr. Bouchette, who explored Lake St. John in 1828. In his topographical dictionary he says:

"The climate of Lake St. John is as mild or milder than that of Montreal."

In 1828, when all this territory was covered with forests and in a wild state, an experiment was made to test the quality of the soil and the climate, and Mr. Bouchette relates what follows:—

"On or before the 1st of May, ten gallons of peas have been sown which produced more than ten bushels, although from the wetness of the season about one-third of the crop was lost. On the 7th of May half a pint of wheat was sown, and when harvested on the 8th of September, produced full half of a Winchester bushel; two of the ears, without selection, were examined and found to contain, one 41, the other 46 grains of corn. On the 4th May, half a bushel of barley was sown and produced, 5th August, from five to six bushels. Not quite eight bushels of potatoes, produced 3.0 bushels."

During the Session of 1877, in order to make known to the hon. members of this House the nature of the Saguenay and Lake St. John district, the Committee on Immigration, at my request, summoned as a witness on this subject Mr. Siméon Lesage, Assistant Commissioner of Agriculture at Quebec. His Lordship the Bishop of Chicoutimi, also at my request, had the kindness to address to the Chairman of the Committee a letter upon the subject. This evidence and this letter are printed, and are annexed to the report of the Committee for that year. Well, here is what His Lordship the Bishop of Chicoutimi wrote:

"I cannot give a better idea of the fertility of the soil of the Saguenay than by citing the appreciation that an eminent man in the agricultural line, and quite disinterested, lately made. After having visited the whole of the Saguenay he said: I have nowhere else seen richer or more fertile lands than those of the Saguenay and Lac St. Jean."

"This judgment corroborates exactly that already rendered by the land surveyors, Hamel, Bouchette, Ballantyne, and others who had occasion to go through the great territory."

Mr. Siméon Lesage, in his evidence, said:

"Since 1867, when I was appointed Assistant Commissioner in the Public Works Department, I have had charge of the Colonization Department, and I have found, after visiting the Saguenay and several other parts of the Province, that upon the whole the Saguenay district is the best settling district that we have by far. There are some inconveniences, but I believe that before long the Saguenay district will prove to be the best part of the Province of Quebec, if not of the Dominion of Canada."

"By Mr. Cockburn.—Q. Is the land back of Lake St. John as good?—Yes, of good quality."

"By Mr. White (Newfrew).—Q. How is it with reference to the climate of Lake St. John, what is the length of the winter, I mean as compared with the summer?—I could not give an exact report as to the state of the thermometer at Lake St. John; but all reports go to show that the climate is much milder at Lake St. John and Chicoutimi than it is in Quebec. It would seem to me that it is more like that of Montreal than that of Quebec. Of course, the Laurentian chain might be the cause of that; because as soon as you have passed the height of land you find at once a difference; there is not so much snow on the north side of the Laurentian as there is on the south side."

"Q. I understand that; but my impression was that although the snowfall was not so great, the cold was more intense?—No, Sir, it is not the case. There spring generally begins at least two weeks and sometimes three weeks before we have it in Quebec."

"Q. What is the distance from the nearest market to Lake St. John?—The nearest market for the Lake St. John settlers would be Chicoutimi."

"Q. But that is a very limited market?—It is a very limited market. At the present time they have a surplus of wheat in the Upper Saguenay district which they have to carry to Chicoutimi, a distance of sixty miles, for those who are nearest to Chicoutimi; and a distance of upwards of a hundred miles for those at the upper settlements; and they only get one dollar a bushel for their wheat, and that the best wheat that can be found in both Canadas."

"By Mr. Hagar.—Q. I suppose that is altogether spring wheat?—Some farmers at the upper end of Lake St. John have tried fall wheat and they have done well. Mr. Price's farmer told me he thought fall wheat would do very well in the Upper Saguenay."

"By Mr. White.—Q. Do you know what is the average of bushels of wheat to the acre?—I could not exactly say, but I believe their average per bushel of seed is about fifteen; it is hardly lower than fifteen; very often it exceeds that. The depth of the clay in the Lake St. John region is something remarkable. Those who have only gone as far as Ha! Ha! Bay know nothing about the Saguenay region, because of the rocky borders of the river and bay. Even if you go by the river to Chicoutimi you do not know what the country is. But if you take the land route from St. Alphonse to go to Chicoutimi, a distance of twelve miles, there you will find ravines and gullies I suppose 150 feet deep, and nothing but clay from top to bottom. Sir William Logan and Mr. Robinson, I believe, have explored the Saguenay region for the Geological Department, and they expressed their opinion that there is nowhere to be found such a depth of alluvial soil—of clay—and under this there is a stratum of limestone all over. In fact the bottom of Lake St. John is nothing but limestone, and on the western side there is nothing but limestone on the edges of the lake."

"By Mr. White.—Q. Terre grise?—Terre grise, and there is a fair admixture of sand which makes it friable, it is loamy. It is quite friable every season of the year. The farmers there do not suffer from protracted droughts or protracted rains."

"By Mr. Hagar.—Q. It does not pack then?—Not at all; I have seen them ploughing with one horse, and sometimes a horse and an ox, that is all; of course, they prefer using a pair of horses when they can afford it."

"By the Chairman.—Q. It cannot be very stiff then?—It is not stiff at all, it is like yellow loam."

Rev. Father Lacasse, in his work *Une Mine*, writes:

"I am happy to tell you, my worthy habitants, that the climate of Lake St. John is preferable to that of Quebec. The Indians call Lake St. John the flat lake. Its waters, that are deep in a great many places, get warmed by the action of the sun, and all the valley feels the beneficent influence of its warm effluvia. Frosts along the shores of the lake are less frequent than in the valley of the St. Lawrence. There is frost that is felt there, it is true, but the settler hails it with pleasure. Sometimes the cold during the night condenses the vapors of the lake, the dew falls on the heads of wheat or oats, and in the morning a heavy hoar frost, or rather a kind of ice, surrounds the grain, the hope of the farmers. Let the stranger, however, be reassured, the sun will rise, the frost will disappear and be changed into a beneficent dew. The only effect of this frost will be to have imparted a new freshness, to have brought its quota of nourishment to the grain that is being formed, and to have consoled the farmer accustomed to this harmless frost. Seeding time is from the beginning of May until the end of June. Almost without exception, wheat sown about St. Peter's and St. Paul's day ripens. Even this year, with its cold and unfavorable summer, wheat sown on the 28th of June at Pointe Bleue will yield well."

If we now refer to the census of 1871, we find that the three most important counties of the Eastern Townships, in the agricultural line, Compton, Huntington and Stanstead, with a total population of 37,107 souls, produced 92,999 bushels of wheat, whilst the county of Chicoutimi, having only a population of 17,493 souls, produced above 136,114 bushels of wheat in 1870, and yet, in that year, we witnessed the great fire which was so disastrous. Thus, Sir, such a vast territory with such a fertile soil, such a mild climate, would necessarily be settled rapidly. Indeed, in 1842, as soon as the territory was freed from the bondage in which it had been kept by the Hudson's Bay Company, the first settlers began to put in an appearance at Chicou-

timi. They first clustered around the saw-mills, and, in their leisure moments, they went to clearing the forest. Such was the beginning of Chicoutimi, which is now a flourishing town, with a promising future before it. But it was only towards 1850 the Rev. Curé Hébert, seriously penetrated into the forest and went in the direction of Lake St. John. He arrived there one evening, as the sun was setting, at the head of a few brave settlers. The day's work had been hard, and fatigue had not been wanting. A voyage through the forest was then very difficult; but, before taking any rest they wanted to fell the first tree; they desired at once, with the sound of the axe striking the tree, to awaken the echoes of the immense forest, and to tell them they would have to yield to the sounds of civilization. The Rev. Curé Hébert had the honor of striking the first blows. With the tree thus cut down they made a cross, at the foot of which they prayed that evening. It was taking possession as Jacques-Cartier would have done; and as the work of the latter has been fruitful, so also has the work then commenced by the Rev. Curé Hébert brought forth prodigious fruit. To-day, on the spot where the Rev. Curé Hébert brought his first settlers, we find the beautiful and large parish of Hébertville, having a population of several thousand souls, and producing wheat in extraordinary abundance. Since that time we have seen seven large parishes formed above Hébertville, farther into the forest. In 1851, in the county of Chicoutimi, there were hardly 4,000 souls; in 1861, there were 10,500, and the census of 1871 gave us a population of 17,500. To-day that county contains nearly 30,000. There, where thirty years ago nothing but the forest could be seen, we find the town of Chicoutimi, the fine parishes of St. Jean, St. Alexis, St. Alphonse, St. Fulgence, Ste. Anne du Saguenay, Notre Dame de Laterrière, St. François Xavier de Chicoutimi, St. Dominique, St. Cyriac, Notre Dame d'Hébertville, St. Joseph d'Alma, St. Gédéon de Grandmont, St. Jérôme du Lac St. Jean, St. Louis de Metabetchouan, Notre Dame du Lac St. Jean, St. Prime, St. Félicien, and the missions of Normandin and Tikanaby. This county is the seat of a bishopric, two court houses, of a large and a small seminary, and possesses two registration offices, a convent and eight schools, frequented by about 4,000 children. And to think that this great and rapid development of colonization was brought about exclusively by French-Canadians, who, having left the older counties quite poor, had nothing but their energy and their patriotism, without help, without any communication with the great centres. But they had for protectors the priests of their religion who, teaching them the love of God and their country, encouraged them in their hard labor, and shared their fatigues and their privations. There is not one foreign immigrant in the Saguenay. Yes, Sir, I proclaim it boldly, the colonization of the Saguenay and Lake St. John is exclusively the work of the Catholic clergy. The wonders that they have operated there give the most emphatic answer to those who accuse them of being wanting in progressiveness. I have myself seen these priests at work among the settlers, keeping up their courage, and making them love more and more the soil that they water every day with the sweat of their brows. I do not wonder, after that, at the influence they exercise over the settlers, and I assure you, Sir, that is not undue influence. I would like to know, Sir, whether Manitoba, that Province where the Government sink every year millions of dollars—I ask if Manitoba would have, if left to its own resources, attained, proportionately, such rapid and prodigious development as the Saguenay and the Lake St. John have done? No, Sir. If the Government had applied to the development of Lake St. John the money they expend in one year on Manitoba, we would to-day have at Lake St. John a population several times larger than the present population of Manitoba. The territory of the Saguenay and Lake St. John has thus developed

itself without a single foreign immigrant having been drawn there, without a railway, without any great public works. Ah! if we had the railways of the Eastern Townships, or those that we have given to Manitoba, I answer for it, Mr. Speaker, that in twenty-five years hence, we would have in the great valley of Lake St. John a population of 250,000 souls. Yes, Sir, what we require is a railway, which starting from Quebec should be continued as soon as possible to the shores of Lake St. John. Once the road has reached the Lake, we will ask nothing more from the Government; private enterprise will find the means of building the branch lines to the north and to Chicoutimi. The Quebec Company have already begun to build the road. But their means are quite limited, and it is impossible for them, if the Federal Government do not come to their aid, to build the road through to the Lake with their own resources. The Government of Canada, I am sure, will secure the completion of a road so important for the whole Dominion. I come now, Sir, to the objections raised against the building of this road. Some one has said that there is no passage by the route chosen by the Quebec Company. Whoever said that was not serious. The idea of saying there is no passage when we are crossing the Rocky Mountains! In 1876, at the request of the Hon. David Price and myself, the Hon. the Commissioner of Crown Lands for the Province of Quebec, entrusted Mr. Sewell, and later, Mr. Dumais, surveyors, with making explorations in order to see whether there was a passage. These gentlemen did not discover any serious impediments. I am informed that the Company's engineer has found a very easy passage. This fact is set forth in Mr. Light's report, for a copy of which I am about to ask. It is again said: it is too far north. The other day, the hon. member for Gloucester (Mr. Anglin) said that it would be just as worth while to build a railway to the moon as to Lake St. John. I cannot certainly congratulate the hon. member on his knowledge of the country. The hon. member must have paid very little attention to what has been going on in the Province of Quebec within the last few years. Luckily, the hon. member for Gloucester belongs to the Liberal party, upon which the country relies but little. It is a prejudice to say that it is too far north. Within a few years clearings have been begun in the township of Albariel, the spot the furthest north where colonization has so far penetrated. Here is what Mr. Dumais, who surveyed the township, says of it:

"Since I set foot in Albariel I have been experiencing one surprise after another. There is nothing finer than the woods that shade the dells and the hillocks through a great part of this township. The soil is very rich, and very easy to clear; the wood is of very vigorous growth, which is easily explained when we study the nature of the soil. It is a garden, neither more nor less. I think that I can find over 300 lots of first-class land in this place; with 100 lots more in Normandin, and at least 100 more lots, quite as good, in the vacant space to the west of these two townships, we will have 50,000 acres of fertile land, or 1,000 lots of 50 acres each."

Then he adds:

"I hardly know what one feels at the sight of the immense plateau where Albariel and Normandin stretch out, and invite one to come and breathe the life-giving air 'neath their magnificent and shady forests."

It was not long since the great explorer, Mr. Olivier Lachance, was telling me that he had penetrated nearly as far as Lake Mistasni, that there he had found the very finest of lands and a climate as mild as that of Lake St. John. He told me that he had walked during eight days over fine level land, and through a magnificent forest of the finest hard wood trees of different kinds. Let it not be longer said that Lake St. John is too far north. Facts destroy this prejudice. It is said: What is the Saguenay fit for? Every year some calamity happens. One year it is frost or hail; another year an inundation; another, again, there is a fire. Well, frost and hail are experienced elsewhere. Has there not been frosts in Upper Canada and

Mr. CIMON.

even in Manitoba; and no one thinks of depopulating those Provinces. But the unfrequent frosts at Lake St. John are easily explained. I will let Rev. Father Lacasse speak for me:

"But, you will ask, how do you explain the frosts that are a drawback to the settlement of St. Prime, it is said? The answer is easy; former frosts are explained by explaining the absence of frosts now. Here is the explanation: The ground is flat, and though the rivers have a good fall. When there is but little clearing done, the water remains in the forests, retaining the dampness, so that the places that cannot receive the warm air from the lake are sometimes exposed to frost. Now that the clearings at St. Prime are more extensive, the frosts are less frequent. There are good ditches, more open spaces, the warm currents can circulate freely, and an era of prosperity is beginning for these settlers."

As for the hail, is there a place in Canada that is not sometimes visited by this scourge. Hail only did damage once in the Saguenay district, and the same storm that brought us that hail likewise ravaged a part of the Eastern Townships, Beauce, and a part of the Maritime Provinces. Hail has often caused considerable damage in Ontario. And yet we have only had it once in the Saguenay district, and only over a very limited extent. Bouchette, in his topographical dictionary, at the words Lake St. John, tells us that in 1828 the rust had destroyed nearly all the crops in the district of Montreal and in Upper Canada, yet the wheat sown at Lake St. John had produced a crop of excellent quality. The district of Montreal and Upper Canada had therefore had their calamity, and yet no one thought of abandoning them. I state, therefore, that frosts and hail are less frequent in the Saguenay district than in any other part of Canada. As to inundations, there have been two or three along the shores of the lake. They were caused by the extraordinary sudden rise of the waters of the lake. As it was natural to suppose, the settlers cleared first along the borders of the lake, and they alone suffered by the inundation. The settlers living beyond the first range did not suffer by these inundations. Rev. Father Lacasse says on this subject:

"Before visiting Lake St. John, it is necessary that you should know what it was formerly. It was a lake twenty times greater than it is now, there is no doubt about it, science is there to prove it. A fissure opened and the lake emptied itself out through the Saguenay. Before the Saguenay, this unique wonder of its kind, was formed, the lake emptied either by the River Ste. Marguerite, a dried up Saguenay, or by the St. Maurice. Both of these suppositions are admissible. The chain of mountains that surround the lake is cut in the two above mentioned places. It would be difficult to make persons, going from Lake St. John to St. Maurice, believe that the latter did not formerly receive the waters of the primitive lake. The valleys, the lay of the mountain, shows it at every step. But let us leave the beautiful St. Maurice and come back to Lake St. Jean which, when we left it, was pouring out its waters all at once through the Saguenay. The lake has dwindled down to what you now see it; and one fine morning the sun, to his great surprise, shed its rays over more than a million acres of land for the first time in its existence. This land was warmed up, and now you see it covered with a vast forest. The greater part of the lake was of uniform depth, and that is why the land is as level as a map. Through this vast basin, the waters from the melting snow and the rain from heaven opened their way through to the lake. There are fine large rivers, streams in every direction, that facilitate the draining of the soil. Some of these rivers are even larger than the outlet. So that when the snow melts the waters of the lake rise and overflow, during several weeks, lands whose fertility could not be surpassed by those of the Netherlands."

"There is a very simple and very cheap means of preventing this inundation: widen the outlet that is narrowed down by two rocky points. A little powder would widen the outlet more than forty feet by a depth of twenty feet. The Government, you may be sure, will not be long without making this expenditure, or some private individual will undertake the work for a small portion of the land that is now under water long enough to prevent settlement."

By the way, I would state that I asked the hon. Minister of Public Works to be so kind as to put into the Estimates a sufficient sum to do the work mentioned by the Rev. Father Lacasse. I trust the hon. Minister will grant us this sum. As you see, there is nothing alarming about this inundation. It only affects the first range along the lake, and not everywhere, only along the upper part. Moreover, this inundation can be prevented, and it has only occurred two or three times. Very often there are disastrous inundations in France, Spain, Holland and else-

where, and yet no one thinks of abandoning those countries. We should not, therefore, speak of these inundations as a serious obstacle to the development of colonization at Lake St. John and make use of them as an argument against the usefulness of a railway to the lake. Now about fires. Yes, Sir, we had a fire once, on the 19th March, 1870. But it was a terrible fire. It was one of those unfrequent but terrible scourges that Providence, in its wisdom, visits upon some countries. Providence has its object in so doing, and we must bow down before the Divine decree. We hope and we pray that such another catastrophe will never again occur. But Manitoba, that much cherished Province, of which the climate, the soil and the advantages of all kinds are so much boasted of; has not Manitoba had its calamity? One year a cloud of grasshoppers destroyed the whole harvest. The Government was obliged, that year, to support the whole population. That was only five or six years ago. We did not put Manitoba outside the pale of civilization on account of this misfortune. We, therefore, see that all the objections raised against Lake St. John are reduced down to mere prejudices. Well, Sir, the Speech from the Throne announced that the finances of the country are prosperous. I profit thereby to urge the Government to help the construction of the Quebec and Lake St. John Railway. The Canadian Government have already helped different local railways. They paid \$2,300,000 to the Northern Railway, \$2,810,000 to the Great Western. They have granted a subsidy to the Canada Central, aided the building of different branches of the Grand Trunk, and several railways in the Maritime Provinces. It is only fair that we should have our turn now. The Government must help the Quebec and Lake St. John Railway, and they will do so. By the construction of this road we secure the settlement of a vast and fertile region, capable of supporting a million of inhabitants, a region whose climate is like that of Montreal. Thereby we will retain in our midst thousands of Canadians who would otherwise go to the United States. We shall thereby open a vast field for immigration. We shall see a thousand new industries spring up in this region. The great population that will gather there will considerably increase the revenues of the country. Thus, while adding to the public wealth, the Government of Canada will have secured a counterpoise to the already threatening influence of the western Provinces, and assured the peace and harmony of the whole Dominion. Let us, therefore, favor the Quebec and Lake St. John Railway. We need it; we shall have it. I move, therefore, Sir, the motion I have just placed in your hands.

Mr. CASGRAIN. Mr. Speaker, I did not hear the whole of the speech of the hon. member for Chicoutimi (Mr. Cimon), but I think he has forgotten something. He forgot to mention the name of the Price family who colonized the Saguenay; it is to that family that we owe the opening of the Saguenay. I do not wish to take away the merit of the other missionaries who followed and continued the opening of the Saguenay, among others the Rev. Curé Hébert, and if their success was a success in the way of colonization, it was not a financial one, and I can speak of it with certain knowledge. Although we should be grateful in a certain measure towards these gentlemen, yet I must say that the colonization movement, begun by Rev. Curé Hébert, proved to be a series of financial disasters.

Mr. LANDRY. Prove it.

Mr. CASGRAIN. Ask Mr. J. B. Renaud, of Quebec, how much he received for the sums he advanced.

Mr. LANDRY. I certainly had not the intention of rising to take part in this discussion, but the hon. member who has just sat down has made use of such strange and such unhappy language, that I deem it my duty to protest against these assertions, unjustifiable in every respect and highly insulting to our race. This is the first time I have

seen in this House an hon. member depreciate the merit of his fellow-countrymen. This is the first time that I have seen in this House a man who boasts of his patriotism, who wants every one of his words to be heard by the country and to leave its mark, get up and endeavor to throw discredit upon the work undertaken by the Rev. Curé Hébert and the other priests who have labored to colonize the Saguenay. This is the first time that I have seen a man, like the hon. member for L'Islet, come before this House and exalt the merit of a stranger to his race, a stranger to his religion, at the expense of one of his own fellow-countrymen, to the detriment of those worthy missionaries who devote their time, their labor, their fortunes and their lives to the patriotic work of colonizing a country. Sir, in a House composed as this one is, I need not point out how insulting for us is the distinction drawn by the hon. member for L'Islet, for what motive I am at a loss to say. Is it a question of personal enmity, and is the hon. member pursuing, in this matter, a petty work of vengeance? I trust, however, that his unhappy language will not produce the result he expects. I believe this language was made use of without thinking, through forgetfulness and without forethought; at all events, the hon. member is rather to be pitied than blamed. Sir, I approve entirely of the speech made by the hon. member for Chicoutimi. He has treated the question so well and so thoroughly, that there is not a word to be added. No doubt the Government, who have announced, or at least given us to hope for, a considerable surplus, will take into consideration the request of the hon. member for Chicoutimi, and that the Lake St. John Railway will be afforded the same advantages as those we ask for the St. Charles Branch of the Intercolonial. In this case we can well say that the two make a pair, and that the interest of the country involved in these two roads will be taken care of in both cases. This question is of the gravest importance, and I trust that the Government will yield to the suggestion thrown out by the hon. member for Chicoutimi, and that we will have in our Province sufficient help to secure the complete development of our colonization.

Mr. LANGEVIN. The hon. member for Montmagny (Mr. Landry) will pardon me if I pass over the allusion he has just made to the St. Charles Branch. I am certain that he does not expect me to take notice of it. When the time comes to speak of this branch, certainly he will have an answer from the Government, as my hon. friend, the member for Chicoutimi, is going to have one with respect to Lake St. John. Mr. Speaker, the Lake St. John question is no new one; it has been agitated for a long time past, and I am not surprised to see the active member for Chicoutimi and Saguenay take it under his special protection. I am satisfied that a question of this kind could not be put into more skilful hands than those of the hon. member. If ever this question has a chance of succeeding, and I hope it may; if ever this road is to be continued to Lake St. John, I am convinced that the member for Chicoutimi will have largely contributed to the success of the undertaking. It is true that it is long since the work of colonizing the Saguenay was begun, but I cannot agree with the hon. member for L'Islet (Mr. Casgrain) when he insinuates that the efforts made in that direction, especially by the venerable priest of whom he spoke just now, were followed by financial disasters. It is possible that there may have been useless expenses incurred on certain occasions; it is possible that in certain undertakings all the success that was wished for, and was desirable, was not attained, but that was owing, I am satisfied, to the difficult circumstances surrounding the undertaking. It was a country nearly uninhabited at that time; it was a country where it was difficult to arrive at anything; the necessary articles of life and even agricultural implements had to be carried on men's backs; there being no other means of transportation than the backs of the settlers who went there; it was, therefore, impossible to promote

agriculture as if there had been carriage roads, or as they might have done in the more civilized parts of the country. But that is no reason to throw discredit on the efforts made in those days; on the contrary, it is a reason to praise the efforts made by the missionaries and by the other pioneers of colonization in the Saguenay district. This question of the Saguenay cannot be a party question; it is a question that interests all the inhabitants of the country, whether we belong to the right or the left; and, consequently, in answering the hon. member for Chicoutimi upon this question, I must not consider it as a party question. The Lake St. John Railway, of which the hon. member has just spoken more particularly, is an undertaking that has a future before it, and I am satisfied that as the North Shore Railway, now called the Occidental, took over twenty years before it was finished, the Lake St. John Railway will also have its terminus, and that it will arrive at Lake St. John, as the North Shore Road has arrived at Ottawa. But if railway enterprises have all had their difficulties, the Lake St. John Railway has had advantages that the North Shore Railway has not had, because we have seen capitalists put their capital into it, in order to construct a part of it in the direction of what is called Lake Edward, which is on the line of the Lake St. John Railway. Now the hon. gentleman wishes to know whether the Government propose, or are now able to help this road. The question has already come under the notice of the Government, and the Government are not in a position to solve the difficulty at present. We have necessarily been absorbed with the great question of the Pacific Railway, which has also occupied Parliament, and we have been obliged to put to one side important questions, of which this is one, to devote ourselves to the great national question. Now to what extent we shall be able to help local lines—for their construction is a local undertaking on account of the services that are necessarily expected from them—is a question that has not yet been decided upon by the Government; and the hon. member cannot expect to have an answer upon a question of this kind in the absence of the hon. Minister of Railways, who, I regret to say, is very ill to-day. As to the other works alluded to by the hon. member, the works suggested by a missionary some time ago, I am convinced that the hon. member will have nothing to find fault with if I ask him to wait twenty-four hours for the answer. The Estimates will be placed upon the Table to-morrow, as I had the honor of informing the House last Friday, and the hon. member will see by the Estimates what we can bring down. If he does not find all he has asked for, he will have to wait, not twenty-four hours, but twelve months. I must congratulate the hon. member upon the researches he has made with regard to the Saguenay. His speech certainly does him great credit and will remain in *Hansard* as a monument of his work, and, at the same time, it will prove of great worth to all those who wish to make themselves acquainted with the progress of the Saguenay.

Mr. LAURIER. Mr. Speaker, I am convinced that the hon. Minister of Public Works, and also the hon. member for Montmagny (Mr. Landry), have quite misunderstood the remarks of my hon. friend the member for L'Islet (Mr. Casgrain). In speaking as he did, the hon. member for L'Islet had not the intention of depreciating the merit of any one of those who have taken part in the colonization of the Saguenay. On the contrary, it would be unbecoming of any man to entertain such an idea of any one. When the hon. member for L'Islet spoke as he did; when he said that financial disaster had accompanied the efforts of Mr. Hébert, I did not understand—and I am convinced that such was not his intention—that he wished to depreciate the efforts that had been made, but that he only desired to show what had been the difficulties of the undertaking. The hon. member for L'Islet had only the

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intention of remarking that the hon. member for Chicoutimi (Mr. Cimon) had made a quite involuntary omission, and that this omission was that he had forgotten to mention, among the promoters of colonization of the Saguenay, one of those who had contributed the most to its development, namely the Hon. Mr. Price; and the hon. member for Chicoutimi will himself admit that this gentleman was one of the first promoters of the colonization of the Saguenay. Mr. Speaker, I have nothing to say with regard to the merit of the question now under discussion. The hon. member for Chicoutimi will allow me to say, however, in all sincerity, that he has set forth the situation with a skill and with researches that do him credit. I think, however, that his work would have been more complete and more meritorious if he had refrained from speaking of the former Government, of the Liberal Government, with such bitterness. As the hon. Minister of Public Works remarked, this question is not a party question, it is a question that interests the whole Province of Quebec; it is not even a question of races, it is not even a question of nationalities, it is a question that interests all the inhabitants of the Province of Quebec; and I can state that upon this point the interests of the Province are identical with those of the Dominion, because it is in the interest of the Dominion that all the parts of this country that are fit for colonization should be colonized with the least possible delay. The valley of Lake St. John is evidently fit for colonization, according to the information laid before this House by the hon. member for Chicoutimi, and that is enough to make of this question a national question in the largest sense of the word. It would have been better, in my humble opinion, if the hon. member had spoken less bitterly of the former Government. The former Government would have been as happy as the present Government to have been able to help the work that the hon. member for Chicoutimi desires so heartily to carry out, but there are, now, obstacles in the way of the present Government, and I speak of this question without any reference to party, for I know that there are obstacles, and everybody must know that there are, in spite of the desire that the Government may have to aid the road. These obstacles existed before, and with much more force under the former Government, because now the country is delivered from the financial crisis that existed when the former Government was in power. For my part, I do not hope for a solution of this question this year. The hon. Minister of Public Works has put off the hopes of the hon. member for Chicoutimi another twelve months; I should be happy if those hopes were to be realized twelve months hence. At all events, I would advise him to be patient, and to repeat the well known words: "Knock and it shall be opened unto you; ask and you shall receive." I think the hon. member should renew his request, not only this year, but next year, and that even then he will not obtain what he now asks for.

Mr. VALLÉE. Mr. Speaker, as seconder of this motion I will add a few words to the eloquent remarks made by the hon. member for Chicoutimi. I have already expressed, on the floor of this House, my opinion upon the question now under discussion. I always understood that the great obstacle in the way of the Government was, as the hon. Minister of Public Works has remarked, that the road was a local rather than a Federal road. Sir, when the Company asked me to raise my voice in this House in favor of this road, I understood that it was a serious obstacle, for here our principal duty is to look after questions respecting the whole Dominion as Federal questions. When, for the first time, the Quebec and Lake St. John railway was spoken of in this House, I must admit that it was a purely local question, and we were perhaps wrong in bringing it before this House, and especially to urge upon the Federal Government to grant us a subsidy. But now the situation is chan-

ged: there is, beyond Lake St. John, immense territories, now belonging to the Federal Government; there are immense tracts of unoccupied lands containing minerals in considerable quantities, and products of all kinds. It is known that England has ceded to us the immense territories of Labrador, which stretch out to the eastern extremity of the continent. To-day, therefore, we possess a vast territory to the east of Confederation. As in 1872 we possessed territory to the west, in the North-West, so now we possess a territory to the east, in the north-east. The reasons that induced the country to build a railway in the North-West was that we had there a territory to open to colonization, to trade, to industry. Well, if that reason was good, in order to induce the country to vote millions upon millions for the construction of a railway to reach the North-West and British Columbia, to-day the same reason offers itself with regard to the scheme now before the House; the name of the Company is soon to be changed, it is no longer a local road, it will be called the "Quebec, Labrador and Hudson's Bay Railway." As can be seen, the reason alleged by the hon. Minister of Public Works no longer exists—and naturally the hon. Minister expressed his opinion as a Minister should always do—for he cannot disclose the secrets of his Government. But we have seen that the obstacle was, that this question was a local one, and that it should be referred to the Local Government. Now this obstacle has entirely disappeared, the construction of the railway to Lake St. John, or rather from Quebec to the territories that Canada possesses to the east and north of Lake St. John, becomes a necessity in order to reach this territory, and I draw the particular attention of the hon. Minister of Public Works and the Government to this point. It is no longer a local question, it is a Federal question, and this part of the country has a right to receive its share of the subsidies, in order to secure the development of its resources, as the North-West and British Columbia have the right to have millions voted in order to open up these lands to colonization. The only objection that can be raised is that Labrador is uninhabited, or nearly so; yet, by referring to the census, it will be found that there is already a nucleus of population there that will increase as soon as it is helped and protected. That is the new argument that I had to bring as my contribution to the important undertaking that would develop a great part of the country, and would put the Dominion in a position to have on all sides, from east to west, important communications with the territory that has just been ceded to Canada. I do not see why we should abandon that territory that has just been given to us; I do not see why we should not find, one of these days, an appropriation of several hundred thousand dollars, five or six hundred thousand dollars, in favor of the construction of the Quebec, Labrador and Hudson's Bay Railway. That is the argument that I bring in favor of the cause I am supporting in this House, and I trust that the Government will pay it their most serious attention.

Mr. VALIN. Mr. Speaker, I think that the Government should take under their most serious consideration the construction of a railway to Lake St. John. I am a little interested in this question. I am one of those who subscribed something in the first place to start this road. All the inhabitants of the city of Quebec, particularly, are interested in this great undertaking, without distinction of nationality. We can say, Sir, that the principal shareholders, at the present time, are persons who are not of our nationality; they are not all French-Canadians. We find among them Scotch, English and others, who understand the great necessity of having this railway in the interests of colonization. It is so much so that, to-day, the city of Quebec is languishing; Quebec wants an outlet, its commerce is gone, and the inhabitants of Lake St. John feel

badly the want of direct communication with Quebec. They have plentiful harvests, great quantities of wheat and other produce, but it is impossible to sell them. There are, if you will, merchants in the different parishes of Lake St. John, but these merchants, Sir, are regular speculators; that is what keeps the settlers from progressing. The settler is obliged to sell their wheat at a sacrifice, and to pay exorbitant prices for all that he buys. I shall mention a fact that was related to me lately. A farmer of one of the parishes of Lake St. John told me this: "I am obliged," he said, "at the present time, to sell my wheat at a sacrifice for about fifty cents, and I am obliged to purchase syrup; for instance, if it is good, I will pay \$1.20 per gallon, if it is not so good I will get it at \$1.00." Well, the merchants profit by the wants of the settler, give him almost nothing for his produce, and that keeps the settler poor. This shows the absolute necessity of helping the settler, and that was what the merchants of Quebec were convinced of when they started the road. Mr. Speaker, two years ago I was called upon to form part of a deputation, or rather excursion, in which took part the hon. Minister of Railways the hon. Prime Minister and a great many others, and then it was understood that this road was a necessity, and that later it would have to be helped. Well, since we have been so generous towards the great Pacific Railway, I do not see why the Government should not make a slight effort to aid the Lake St. John Railway, because we can say that it is the Manitoba of Canada. There is, however, a difference and that is that under the present as well as the previous Government, our settlers cost us nothing, we do not have to pay to bring them from Europe, our settlers go of themselves; they have energy, they open up their lands without asking anything from anybody, either from the Government or anybody else. The whole has been accomplished, as the hon. member for Chicoutimi remarked, at the expense of the home of each one of the settlers; that is to say, that parents give as much as they can to begin with, to these settlers, and that public charity has taken some part in the work. The zeal of the Roman Catholic clergy has also largely contributed towards this colonization. Well, Sir, I think that we now have the means of helping the Lake St. John Railway, and that we should help it without further delay, because I see no necessity for delay; by delaying the work we would deprive also the Government from considerable revenue that would accrue from it. Sir, the Lake St. John people are almost without communication in winter. In summer there is navigation, but as soon as navigation closes these people are shut up, and they fall into the hands of speculators who prevent the development of colonization.

Motion agreed to.

#### CARRYING OF THE MAILS FROM QUEBEC TO LAKE ST. JOHN.

Mr. CIMON, in moving for copies of all correspondence since 1875, and of all documents concerning the carrying of the mails by the land route between Quebec and Lake St. John, said: My aim in making this motion is to have a peremptory answer to offer to those who accuse me, in my county, of being opposed to the carrying of mails by land from Quebec to Lake St. John. I am happy to see the Minister of Public Works in his place, as he always is, for that matter; he will be able to say how often I have fatigued him; how often I have harassed him with this question; and how often I have begged of the Government to grant me that the mails should be carried from Quebec to Lake St. John by the new road. With all the correspondence which will be laid before the House, I shall have an answer to those who have accused me of being hostile to this route.

Mr. LANGEVIN. Mr. Speaker, the hon. member for Chicoutimi (Mr. Cimon) is perfectly right. I will not say that he has fatigued me, but the word harass is a good word. I think he has harassed as much as it was possible to harass a Minister; and if he is second to any one in this respect, it is only to the hon. member for Gaspé (Mr. Fortin), who, for perseverance, is second to none in this House. But, joking apart, the hon. member is certainly right. Since the question of carrying the mails by the road to Lake St. John has been raised, he has not ceased to request that the mails should be carried by this route, and finally the Government consented. It was because the member for Chicoutimi applied to the Quebec Government, and set the influence of that Government to work upon the Ottawa Government. The Quebec Government having provided to grant a subsidy of \$1,500, the Ottawa Government have granted a like sum to pay their share of the cost of carrying the mails by this route.

Motion agreed to.

#### WATER LEVEL OF LAKE MANITOBA.

Mr. RYAN (Marquette), in moving for copies of any reports or surveys, made since last Session, upon the present water level of Lake Manitoba, and the estimated cost of lowering the same, said: During last Session the level of the water in Lake Manitoba was between three and four feet higher than usual, and as the land in the neighborhood of the lake is very flat, the unusual volume of water had the effect of submerging several thousand acres of land. To the south of the lake the land is of first class quality; in fact, it is not surpassed in any other part of the Province, and several of the farms in Marquette county were situated on the borders of the lake. The owners of these farms, who were amongst the first settlers of the county were, in many instances, driven from their farms. During the past season, the Government, very properly appreciating the magnitude of the damage sustained in the manner I have described, sent a surveyor to the outlet of Lake Manitoba—which is a small river—to examine the nature of the obstruction and to ascertain whether the level of the lake could be reduced by such an expenditure as might be considered justifiable. The name of the engineer sent out by the Government for that purpose was, I believe, Mr. Moshier. I have not seen his report, but I may say that its publication is very anxiously looked for by my constituents, who take a deep interest in the matter. It is for the purpose of obtaining the production of this report that I make the present motion; and I may be permitted to give expression to the strong desire on the part of my constituents that, if the report should disclose that the amount of the expenditure required would not be very large, a sum should be placed in the Estimates for the prosecution of the work.

Mr. LANGEVIN. This question has not escaped the attention of the Government, as the hon. gentleman will see by the fact that an engineer was sent to examine the locality. The matter is now receiving the best consideration of the Government.

Motion agreed to.

#### FRENCH SHIPPING BOUNTIES BILL.

Mr. BURPEE (St. John) moved for copies of all correspondence which the Government may have had with their agent in London, the Imperial Government, or other parties, relating to the French Shipping Bounties Bill, which has passed the Chamber of Deputies, and is now under the consideration of the French Senate. He said: In a discussion which took place in the other branch of the Legislature on a motion referring to the tariff on Canadian vessels going into France, the subject of this motion was

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alluded to by the leader of the Government in the Senate. The Bounties Bill referred to in the present motion is one which gives 20 and 60 cents per ton on the construction of ships in France, and it further grants a bonus of one and one-half francs per thousand miles traversed by French ships, the distance not merely being calculated from one French port to another, or to a foreign port, but between different foreign ports. Strong remonstrances have been made in Great Britain to this measure, and attention has frequently been called to it in the Imperial Parliament. My object is to have any correspondence that may have taken place on the subject with our authorities brought down. I trust that our Government will heartily join in any remonstrances that may be made by the Imperial authorities against the measure.

Sir LEONARD TILLEY. If there is any correspondence on this subject, it will be brought down. It is possible that correspondence may have taken place between the High Commissioner and the authorities there, though I am not aware of it at this moment.

Motion agreed to.

#### SALARIES OF JUDGES.

Mr. LONGLEY moved for a statement of the number of Judges in the different Provinces, whose salaries will be affected by the proposed resolutions of the hon. the Minister of Justice, dated the 31st January last past, as well as the amount of additional salary that will be received in each case, should a Bill founded on said resolutions pass this Parliament, discriminating between the different classes of Judges indicated in the said resolutions. He said: I desire, with the consent of this House, to amend the resolution by inserting after the word "Parliament," the words "also the date of appointment in each case."

Mr. McDONALD (Pictou). There is no objection to giving the information asked for by the hon. member for Annapolis. An Order of the House has already passed, requiring a statement of the population of the several judicial districts, and that when completed will furnish my hon. friend with the information he requires. But the statement will be made and laid on the Table as soon as it can be prepared.

Motion, as amended, agreed to.

#### POST OFFICE MONEY ORDERS.

Mr. FARROW moved for a return showing the amount of money sent by Post Office Orders to Great Britain and Ireland, during the past year, 1880, and the cost of the same; also, the amount sent by Post Office Orders to the United States for the same time, and the cost of the same. He said: The object of this motion I believe to be a very important one. It is no doubt a great convenience to send money from here to the United Kingdom at a cheap rate; and it is also a great convenience for parties residing in the old country to be able to send money here. We have similar advantages in sending money to the United States, but I find that we have not the same facilities for exchanging money orders with the old country that we have with the United States. We know that a great many people have emigrated to this country from England, Ireland and Scotland, and that the number is constantly increasing. In fact, we may call Canada, especially Ontario, a second edition of England, Ireland and Scotland. It is a fact that a great amount of money is sent from the United Kingdom to Canada. Sometimes it is sent by the more wealthy people there to friends in this country to help them to get along. It may be that a poor family has purchased a small farm, and being unable to pay for it, money is sent here from the old country.

Sometimes an emigrant to this country gets well off in a few years, and sends money home to his poor relations, it may be a pound note, a ten pound note, or a twenty pound note. Sometimes he may want to send money home to bring out his family. But I wish to call the attention of the Postmaster General to the fact that we cannot exchange money orders with the old country as cheaply as we can to the United States. I find that the rates for sending money orders to those two countries are as follows:—

Amount.	Cost to Great Britain.	Cost to United States.
\$10 00	\$0 20	\$0 10
20 00	0 40	0 20
40 00	0 80	0 40
50 00	1 00	0 50

Now, I think it would be a great advantage to a great many people if they could send money as cheaply to the United Kingdom as they can to the United States, because it would be an additional inducement for people to send money to the old country, and for people of the old country to send money here. I wish to draw the attention of the Government to this fact. In Great Britain they are talking about reducing the rates to this country, and the present would be a favorable opportunity for our Government to act in unison with the British Government in the direction I have indicated. I trust the Government will look into this matter with the view of reducing the rates, and thus confer a great advantage upon the people of Canada.

Motion agreed to.

#### POST OFFICE BOXES.

Mr. COURSOL, in moving for a statement showing the number of boxes, drawers and pigeon-holes in the Montreal Post Office; the number of boxes, drawers and pigeon-holes not let before the rent was raised, and the number of those not let since the rent was so raised, said: My object in making this motion is to ascertain whether the Post Office Department have acted wisely in increasing the price of boxes in the Montreal Post Office. The price of boxes and pigeon-holes was first increased from \$1.50 to \$2.50, and afterwards to \$4; and the price of drawers, which at first was \$2, was raised to \$4, and is now \$6. If the effect of these changes has been to diminish the number of boxes let, as well as the revenue collected by the department, the policy has been a mistake, injuring the city of Montreal without benefitting the Dominion. The city of Montreal is indebted to the Federal Government for the erection of a magnificent post office, but I am credibly informed that in many cases the high price of the boxes has induced citizens to abandon them and depend on the letter-carriers. Complaints on this subject are frequently made, and I believe that since the 1st of January a smaller number of boxes were let than when the prices were lower.

Mr. LANGEVIN. The statement the hon. gentleman moves for will, of course, be brought down. The hon. gentleman may rest assured that there was no intention of injuring the citizens of Montreal in any way. Should the system be found not to work well, the Post Office Department will be disposed to do the right thing. When the statement comes down the hon. gentleman will be in a position to confer on the subject with the Postmaster General, who will always be happy to hear him.

Motion agreed to.

#### THE ESTIMATES.

Sir LEONARD TILLEY, in reply to Sir RICHARD CARTWRIGHT, stated that the Estimates would be laid on the Table to-morrow, and that he hoped to be able to make his financial statement on Friday.

#### MOTIONS FOR RETURNS.

The following motions for returns were severally agreed to:—

(1.) Copies of all tenders transmitted to the Government for the telegraph posts to be distributed on the Island of Anticosti, the Magdalen Islands, and on that portion of the north shore of the St. Lawrence included in the map submitted to the Government, with a view to show the advantage of connecting, by means of a submarine cable, that portion of the north shore and the said islands with the telegraph lines on the south shore. (2.) A statement showing the price or prices asked by each party tendering for a part or the whole of the contract. (3.) The names of the persons to whom a contract or contracts were awarded and the prices at which such contracts were awarded.—(Mr. Fiset.)

Return showing the claims of contractors and others, arising out of the construction of the Intercolonial Railroad, which have been made or reported upon since the report dated November 27th, 1880, made by F. Shanly, Esq., Chief Engineer Intercolonial Railway, the names of the claimants, the amount claimed, the nature of the claims, the report, if any made, and the amount paid or to be paid in each case.—(Mr. Anglin.)

Return stating in detail the names of the several persons to whom was paid the sum of \$23,931, given in page 10 of the report of the Minister of Railways for the year ending June 30th, 1880, as the total sum paid for "construction of railways, old accounts" and charged to expenditure on capital account, the amount claimed and the amount paid in each case, and the report on which payment was made.—(Mr. Anglin.)

Sir LEONARD TILLEY moved the adjournment of the House.

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

#### HOUSE OF COMMONS.

TUESDAY, 15th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### RICHELIEU ELECTION PETITION.

Mr. SPEAKER said: After having given a most careful consideration to the petition of Edmund Ritter, and others of Sorel, representing that there has been a failure of justice in the matter of the trial of the election petition complaining of an undue return for the electoral division of Richelieu, and praying to be allowed to make proof before this House of the allegation therein made, I am of opinion that the same cannot be properly received, for reasons which I now propose to state. The petition sets forth, that on the 4th November, 1878, a petition was filed in pursuance of the Statute in the Superior Court at Sorel, by two duly qualified electors, contesting the election of the member elect for Richelieu for corrupt practices by himself and agents. Later in the same month a counter-petition was filed by the member elect against Mr. Barthe, his opponent at the said election. On the day appointed for the trial, Mr. Justice Gill dismissed the two petitions for want of proof. His judgment, declaring the sitting member duly elected, was forwarded to this House, in accordance with the law governing such matters, and was recorded in the Journals. The present petitioners now allege that the trial was not brought to issue in good faith, but that it was conducted collusively with the view of presenting any full

investigation into the corrupt practices charged against the sitting member. They declare that had they been substituted for the original petitioners and permitted to come into Court, they would have been able to prove that the member elect had been returned to Parliament by means of corrupt practices committed by his agents and himself personally. They declare that he has no right to the seat he has occupied up to the present time, and pray the House to allow them to come forward and lay before it all the evidence necessary to prove their various allegations. In other words, they wish this House to re-open the whole case, and review not only facts previous to the judgment of the Court, but such evidence as they may desire to adduce with respect to the serious allegations set forth in their petition. Now the only question that this House has to consider is, whether this petition is not in effect a petition, questioning the return of a member, which, as it has been admitted on both sides, cannot be properly received by the House, in view of the fact that it has divested itself of its right of trying such matters by referring them to the jurisdiction of an independent judicial tribunal. In handing over this power to the Courts, the House still reserved to itself the right of taking notice of any legal disabilities affecting its members, and issuing writs in the room of members judged to be incapable of sitting—but the petition now under consideration, both in its terms and scope, is a petition questioning the return of a member, and not within the purview of this House. By the Act 37 Victoria, Chapter 10, the House of Commons divested itself of its original jurisdiction for the trial of all matters growing out of the election and return of members having the right to sit therein, including the withdrawal and abatement of any election petition in consequence of alleged corrupt agreement between the parties concerned. That power now belongs to the Courts of Justice, which try all election cases in conformity with the Statutes in that behalf provided. The 63rd section of the Dominion Controverted Elections Act, 1874, expressly provides that all elections held after the passing of the said Act shall be subject to the provisions thereof, and shall not be questioned otherwise than in accordance therewith, showing clearly that the determination of the judicial body to whom that power has been delegated is final to all intents and purposes. Now the petition in question declares in express terms that the sitting member "has no right to the seat he occupies;" and were the prayer of the petitioners granted, the logical result would be the virtual resumption by the House of the jurisdiction which it has in its wisdom handed over to the Courts. It asks the House to sit as a Court of Appeal upon a judgment rendered by a Court of Justice, though such judgment ought to be final according to the law. If the petition should be received it would then be competent for any member to move that it be referred to a Committee; and if such a motion were agreed to, the various allegations in the petition would constitute the order of reference by which the Committee would be governed in its proceedings. In this way, a door would be opened to the indiscriminate reception of petitions attacking generally the return of members, though not governed by any of those formalities necessary even in those times when the House possessed full jurisdiction over controverted elections. To grant the prayer of the petition, would be to violate the general principle which lies at the basis of all the legislation adopted by the English Parliament since 1865, and by the Canadian Parliament since 1873, that the Courts should alone adjudicate on matters of controverted elections. When the law has been proved to be inadequate to provide a sufficient remedy in any case, then Parliament has always come forward, as the various Statutes in amendment of the Act of 1874 prove, and passed the Legislation necessary in the premises. The principle which guides Parliament in such cases can be understood by reference to a Statute passed in 1876. When

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no petition charging the existence of corrupt practices has been presented under the Act for the trial of controverted elections, then 25 or more electors of a district can sign and present a petition in which they state that corrupt practices have prevailed, or that they have reason to believe that such practices have extensively prevailed, at an election; but that petition must be accompanied by a solemn declaration under the Statute in that behalf, signed by the said electors stating that their allegations are true to the best of their knowledge and belief. They must also deposit with the Accountant of the House of Commons a sum of one thousand dollars. That petition must be presented within sixty days after the publication in the *Canada Gazette* of the return of the election if the House is sitting, or if Parliament is not sitting, within fourteen days after the next meeting of Parliament. Even in this case the House does not take cognizance itself of the allegations set forth in the petition. It may only present an address to the Governor General praying him to cause an enquiry to be made in such matters, and accordingly a Commission of inquiry is issued with such powers as determined by Statute. It will therefore be seen that this petition is irregular: 1st. Because it asks the House to sit in appeal of a judgment rendered in conformity with the provisions of the Dominion Controverted Elections Act, 1874; 2ndly. Because it is not in compliance with the requirements of 39 Victoria, chapter 10, "An Act to provide for more effectual enquiry into the existence of corrupt practices at Elections of Members of the House of Commons," nor with those of 42 Victoria, chapter 6, "An Act to amend An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections." In view, then, of the fact that the petition is in conflict with the letter and spirit of the law which governs the House in such cases, and does in effect question the right of an hon. member to his seat, I have to decide that the objection raised by the hon. member for Bagot is well taken, that the petition cannot be received.

#### MESSAGES FROM HIS EXCELLENCY.

Sir LEONARD TILLEY delivered two Messages from His Excellency the Governor General.

Mr. SPEAKER read the Messages as follows:—

"*Lorne,*

"The Governor General transmits to the House of Commons, Estimate of sums required for the service of the Dominion, for the year ending 30th June, 1882; 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, 15th February, 1881.

"*Lorne,*

"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 the 30th June 1881; 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, 15th February, 1881."

Ordered that the said Messages and Estimates be referred to the Committee of Supply.—(Sir Leonard Tilley.)

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

"MR. SPEAKER,

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

Accordingly the House went up to the Senate Chamber.

(In the Senate Chamber.)

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bill:

"An Act respecting the Canadian Pacific Railway."

And the House being returned,

#### INTRODUCTION OF BILLS.

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

Bill (No. 59) providing for Harbor Improvements at Moncton.—(Sir Albert J. Smith.)

Bill (No. 60) to incorporate the Don River Improvement Company.—(Mr. Platt.)

#### REPORTS ON PRIVATE BILLS.

Mr. DOMVILLE moved,

That, in accordance with the first report of the Select Standing Committee on Banking and Commerce, the time for the reception of reports on Private Bills be extended for a period of two weeks from to-day.

Motion agreed to.

#### AN EXPLANATION.

Mr. CHARLTON. Before the Orders of the Day are called, I desire to occupy a moment to correct a mistake I made a day or two ago with respect to the expenses incurred by the Sheriff of Norfolk county in putting a stop to the prize fighting at Long Point. I stated that the Dominion Government and the Ontario Government had both refused to reimburse him. The sheriff informs me that after the Dominion Government had declined to pay the expenses a second time, he applied to the Provincial Government, and they have provided for the amount in the Estimates of the present year.

#### INSPECTION OF SMOKED HERRINGS.

Mr. MOUSSEAU moved the third reading of Bill (No. 49) to amend the General Inspection Act of 1874 and the Acts amending it.

Mr. GILLMOR. Before this motion is passed, I wish to make a few remarks. On reference to the Inspection Act of 1874, I find that the Governor in Council may, from time to time, designate the cities, counties, towns and other places, or inspection divisions, in Canada, at and for which, respectively, it is expedient to appoint Inspectors of the several articles named in the Act. Although this Act has been on the Statute-book for many years, the Government have not thought it proper to enforce the inspection of smoked herrings. I am quite satisfied that if the Government understood this matter, they would not make the inspection compulsory. Last Session, when the hon. the Minister of Inland Revenue occupied a seat on the floor of this House, he informed me that the inspection of smoked herrings would not be enforced, unless a municipality requested it, and under these circumstances I did not oppose the measure. As the hon. mover informs me, however, that the Government intend to put this Act in force, I believe I would not be discharging my duty to my constituents if I did not oppose it. No possible good can result from enforcing this Act. All the smoked herrings exported from New Brunswick to the United States amounts to 5,356,790 pounds, while from Nova Scotia, a constituency of which is represented by the hon. member for Annapolis (Mr. Longley), there are exported to the United States only 13,214 pounds, valued at \$329; and I may say that 95 per cent. of all the smoked herring exported from New Brunswick go from the constituency I represent—the county of Charlotte. The quantity exported from New Brunswick would amount to 750,000 boxes, 95 per cent. of which are exported from the county of Charlotte to the United States. I am not surprised that the late Government did not deem it necessary, in the public interest, to enforce this inspection. I can see no good that

can arise at all. It would entail an enormous burden on that struggling industry—a favorite term with hon. gentlemen opposite—of some \$3,500 a year, even at one-half cent per box. I cannot conceive why the Government should deem it their duty to make this inspection compulsory when a greater part of the fish finds a market in the United States, and those who are engaged in this business which has been handed down to them from generation to generation, know how to manage it better than the Government or anybody else, and in their own interest must consult the taste and wishes of their customers. If my constituents found a market at home and the public interest demanded there should be inspection, I would have no objection to it. My hon. friend informed me the Chamber of Commerce of Halifax, and the Board of Trade of Montreal petitioned for this inspection. Well, let an inspection be had in those ports, but it can be of no earthly use in Charlotte county, except as a tax of \$3,500 on a portion of my constituents for the benefit of the inspectors into whose pockets the whole amount will go. I beg to move, in amendment, that this Bill be not now read a third time, but that it be referred back to the Committee of the Whole House, with instructions that they have power to so amend the Bill as to make the inspection in no case compulsory.

Mr. MOUSSEAU. I cannot see why, after the agreeable relations which have taken place between the hon. member and myself on this subject, he should desire a vote of want of confidence. The hon. gentleman states the law has been long on the Statute-book without being put in force. I do not know how far his assertion is correct. The Boards of Trade complain of the quality of the fish and ask for an enforcement of the Inspection Law. My hon. friend complains that 5,000,000 pounds of smoked herring are exported from New Brunswick, 95 per cent. of which comes from his county; further, that if the Government could foresee the evil results that will flow from the enforcement of the Inspection Law, it would not press its passage. If the law, as my hon. friend says, has never been enforced, how can he say that its enforcement will produce bad results. The people engaged in the fish trade complain that the quality of the fish is not what it ought to be, and ask that the Inspection Law be more severely enforced. Should it be found the law produced bad results the Government do not intend enforcing it severely, but a trial must be had to see whether the Boards of Trade or my hon. friend are correct.

Mr. ANGLIN. The hon. Minister seems to think it is a matter of small importance whether those people are put to a great deal of unnecessary trouble or not while he is making his experiment—an experiment suggested by the Boards of Trade of Halifax and Montreal. I understood the hon. member for Annapolis (Mr. Longley) to say last year, that the Board of Trade of Halifax wanted the inspection for the purpose of having a standard quality of fish for the foreign market, and I really supposed there was a considerable exportation of herrings from Digby Basin through Halifax, until my hon. friend from Charlotte stated it was very small, the chief exportation being from his county. To render the inspection of value, an enormous amount of trouble must be imposed on the people who put up the fish. The fish are now put up as fast as possible in boxes, and shipped in small vessels to the United States, clearances being obtained to meet the demands of the authorities in such a way as to impose very little trouble on the shippers. If after the fish are packed in boxes, they must undergo inspection before the boxes are finally closed; if the inspector is to sort the fish, and see if they are of the proper size and weight, a great deal of trouble will be occasioned. It is almost impossible for any one who does not know anything of the trade to form an idea of what the inspection will amount to.

What regulations shall be enacted in the matter, whether they will require the fish to be of a certain size or weight, or whether it will be merely left to the inspector, by looking at the fish or handling them, to decide whether they belong to the first, second or third class, we cannot imagine. But we do know that a great deal of trouble will be imposed on these people, and that there is no commercial need of those regulations. The trade is almost entirely a local trade. Those engaged in it for many years know what is best in their own interest, in putting up this fish, and, therefore, what is best calculated to please their customers and procure the best prices obtainable. Perhaps there is some idea this smoked herring will be assorted also, and, if so, we should consider the amount of trouble that will be occasioned, leading to such small results. I do not know that any fish from the county of Charlotte comes to the Montreal market. My impression was it went almost entirely to the United States, very little coming to St. John. People leave out the idea of any inspection of smoked herring. Every man can choose for himself whether the herrings are of the better or inferior quality. There is no necessity of ascertaining whether the fish has been sent to the market in that condition. My conviction is that any inspection will be merely officious, harassing and annoying; and if it takes out of the county of Charlotte \$3,000 a year, there is no good reason for imposing so heavy a burden upon a class who at present find it exceedingly difficult to provide the ordinary necessities of life for themselves. The Bill will affect but one or two localities in the Lower Provinces, but it will be found by them to be a very objectionable measure, harassing, annoying, vexatious and burdensome.

Mr. MILLS. The Minister who has charge of this Bill has not given the House any information as to its character. He is bound, however, to make out a case in its favor; the burden of proof is upon the hon. gentleman when he proposes a measure imposing restrictions on trade—to control and regulate an article produced by private parties, and deciding upon what conditions it shall be sold. But he has not done so, nor has he shown that the fish to be subjected to compulsory inspection is of less marketable value than the fish from other countries. If he had undertaken to show that the smoked herring caught in the vicinity of Nova Scotia and New Brunswick are not as well cured as herring caught elsewhere, and, consequently, brought a lower price, owing to their inferior quality—that if differently classified, they would command a higher price, and that, comparing them with the fish caught elsewhere, they were inferior for the want of such inspection and classification, he would have made out a case in favor of that measure. But he has not attempted anything of the sort. He proposes to take a leap in the dark. He says the member for Charlotte (Mr. Gillmor) does not know what the consequences will be, because a measure of this sort has never been tried. But we are not obliged to make experiments before we know the consequences. When you subject an article to a burden of ten or fifteen per cent. of its value, it should be shown that some great advantage is thereby to be obtained. If the hon. gentleman could show that, by this inspection, the fish would bring five per cent. more, in sale, he would not even then make out a case for the measure. To do so, he must show that this burden on the fishermen, occasioned by this inspection, will be a fair test of the additional price they will obtain in consequence of it. He has not, however, attempted anything of the sort. He has no warrant in the action of the United States, or any other country, for the course he has called on this House to take. He has been wanting in his duty to this House in asking it to support a measure of this sort, without having submitted a tittle of evidence to show it would be productive of any advantage to the people engaged in the trade.

Mr. DALY. I think the arguments adduced by the hon. members for Gloucester and Bothwell, rather tend to sup-  
Mr. ANGLIN.

port the measure before the House, for this reason: that, instead of enacting an Inspection Law, we are now, in reality, asking the House to pass a measure for the amendment of the law hitherto prevailing. The inspection fee paid last year has been considered excessive. This Bill, I think, proposes a reduction from two cents to one cent per box; and if there is to be an inspection at all—and we think it desirable—the arguments of the member for Gloucester would go towards opposing the law and not the reduction contemplated. In the interests of the fishermen, which the member for Gloucester is advocating, we should support this Bill.

Mr. MOUSSEAU. The philosophical gentleman who represents Bothwell has propounded a new law of evidence. He says the burden of proof in this case rests on the shoulders of the Government. To prove what? That the execution of this proposed law will produce no bad results. The hon. member for Charlotte says: "The law you are introducing is already in existence, but has never been executed; but I believe that, if carried out, it will produce bad results." Now, there is a provision here, in the first section, for an amendment of the law to secure a better inspection of fish. I believe, all things considered, and notwithstanding the objections of the hon. member for Bothwell, that a measure such as the present, to secure a proper and reliable inspection of fish is desirable, not only in the interest of the trade but in the interest of the public.

Mr. BLAKE. My hon. friend stigmatizes the hon. member for Bothwell (Mr. Mills) by a title which I am sure we will all agree the hon. gentleman (Mr. Mousseau) will never deserve himself, because it is clear that his conduct with reference to this measure indicates that he is not animated by the philosophical spirit in dealing with matters of legislation. The law in question is a permissive law so far as the Government is concerned—it is of a general character, and applicable to a great number of articles of production. As to this particular article of commerce, or production, it has never been brought into execution at all. It is quite true, as the hon. member for Halifax (Mr. Daly) has said, that the proposal before the House is one to mitigate in some particulars the severity of the law, but it is also true that the hon. Minister proposes that the law shall be no longer in this respect a dead letter. He proposes to enforce the law, and contemporaneously with its enforcement to mitigate the fees to be charged, and therefore we are to-day face to face with the question whether the law shall or shall not be enforced with respect to this particular article. The Minister has said that although not a philosopher, he is disposed to try an experiment, and he will try his experiment upon the fishermen of Charlotte and perhaps other counties, though I believe the County of Charlotte is the one mainly interested. But why is he to try his experiment upon them? To settle a question in dispute between those who are engaged in trade, and the Boards of Trade of Halifax and Montreal. He says the people at those ports think it would be a good thing to pass the law; the fishermen themselves say it would be a bad thing to pass the law, and the hon. gentleman, not being a philosopher, does not pretend to solve the question by an effort of reasoning, but he says, let us put the law in force; let us apply the test; and though I am not a philosopher, next Session I will have found out by experience, which is the only way I have of learning these things, how the law works.

Mr. DALY. Will the hon. gentleman pardon me if I interject the remark that we passed the law last year, and brought it into operation.

Mr. BLAKE. No.

Mr. DALY. Yes; the law came into operation and fixed a scale of fees which we are now seeking to mitigate.

**Mr. BLAKE.** Will the hon. minister, who, though not a philosopher, will perhaps call himself a practical man—because it is said these qualities are antagonistic to one and other, though I do not understand how they can be—tell us whether the inspection is now going on?

**Mr. MOUSSEAU.** No; it is not.

**Mr. BLAKE.** Is the hon. member for Halifax satisfied?

**Mr. DALY.** There are inspectors of fish.

**Mr. BLAKE.** But I mean inspectors of smoked fish in Charlotte. I know there are inspectors of some kinds of fish in some localities, but we are speaking of this kind of fish in this locality. The hon. member for Charlotte (Mr. Gillmor), who knows of this subject, says that almost the whole production of this particular article is in his county, and he says the trade of these fishermen is almost exclusively with the United States ports, and that it does not reach Montreal or Halifax. This statement is not denied by the hon. Minister; he does not say that he has informed himself that this trade reaches the ports of Montreal and Halifax, and, therefore, I fail to see what interest the Boards of Trade of those cities have with the particular question, or why their verdict or opinion as philosophers that this is a good thing to be done, with reference to a trade which does not concern them, should be taken as a sufficient basis for putting a law into operation. Therefore, I say that my hon. friend from Bothwell (Mr. Mills) was right in saying that the hon. Minister did not lay a foundation for asking the consent of the House to this measure. The hon. member for Charlotte (Mr. Gillmor), and the hon. member for Gloucester (Mr. Anglin), told us of the difficulties of the actual inspection of the vexatious character of the impost, and of what this burden will be in its mitigated form, but the only answer which the hon. member makes is to flourish a memorial from the Boards of Trade of Halifax and Montreal. As my hon. friend from Gloucester (Mr. Anglin) says, this may be a small matter, but we are bound to deal with a measure which materially affects only a small portion of the population just as tenderly as if it affected a larger number of persons. And if you find that a small number of persons, with a narrow trade from which they obtain only a moderate subsistence, are to be burdened with an impost of a vexatious character and which involves a tax of five per cent. on their gross catch of this particular article, then I say that in this respect the question is a serious one. I agree with the hon. member for Bothwell (Mr. Mills), that the hon. Minister has not made out a case for the enforcement of such a law, though I do not say that a case might not be made out.

**Mr. LANGEVIN.** This Bill which it is proposed to amend has not been amended in any particular since it was introduced, and it would be as well that the House should read the present Bill so that they may know for what they are voting, and what foundation there is in the arguments of hon. gentlemen opposite. The Bill consists of only one clause, and is as follows:—

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Act passed in the forty-third year of Her Majesty's reign, intitled: 'An Act to amend 'The General Inspection Act of 1874,' and the Act amending it,' is hereby amended by repealing the tariff of fees to be collected for the inspection of smoked herrings, contained in the third section of the said Act, and substituting the following:—

a For each box of smoked herrings—one cent.

b For each half-box of smoked herrings—one-half cent.

c For each quarter-box of smoked herrings—one-quarter cent.

Now, what does the hon. member for Charlotte (Mr. Gillmor) propose? Does he wish the law of last year to remain as it is? Does he wish the tax on each box of smoked herring to remain double what it is now proposed to make it?

Nevertheless, the hon. gentleman's motion proposes nothing else than to give the Bill the six months' hoist.

**Mr. BLAKE.** Not at all.

**Mr. LANGEVIN.** That is the meaning of it. The present Bill simply proposes to reduce the tax on each box of smoked herring, and this is a reduction which was promised by my late colleague the present Judge Baby, but which was overlooked at the time, and is now introduced. The hon. member for West Durham (Mr. Blake) says the law is a dead letter. You have not appointed inspectors, and the law is a dead law. What would have been the consequence had we appointed inspectors last year?

**Mr. BLAKE.** I am not complaining of your inaction.

**Mr. LANGEVIN.** I hope I am not misrepresenting what the hon. gentleman said. He stated we had not appointed inspectors. Why? Because, if we had appointed them they would have had to collect fees, and by delaying the appointment of inspectors we have given time to Parliament to look over the law again and to reduce the fees. We have asked the House to take that course, and the House assented in so far that there has been no amendment until now. Here we are at the third reading of the Bill, and an amendment is proposed at the last moment by the hon. member for Charlotte, and if it is put I hope the House will vote it down.

**Sir RICHARD J. CARTWRIGHT.** I desire to correct a misapprehension of the hon. Minister. He has stated that the motion of the hon. member for Charlotte is simply to go back into Committee and to make the fees as they were before. As I understood the motion, it is to make the fees optional, and thereby relieve all those fishermen in his district who do not believe that this measure will be any benefit to them. Whatever may be the merits of the case itself, it is perfectly clear that my hon. friend's motion goes to the root of the whole matter. It is to relieve those poor men, who lead that very laborious and very dangerous existence, from the necessity of parting with a large part of their profit to pay these inspection fees. I must say that, although I do not profess to have any knowledge of the fishery question in the Maritime Provinces, this House ought to be most careful not to impose any burden whatever on men who, as we all know, are engaged in the prosecution of a calling so laborious and so dangerous as that of fishermen.

**Mr. LAURIER.** The hon. member has altogether misconceived the true meaning of the amendment of the hon. member for Charlotte. He does not propose that the fees be reduced; he only asks that inspection should be optional in the county of Charlotte. The law of 1877 does not apply to the whole Dominion, but only to such portions where inspection districts are organized. There are inspection districts organized in all the Maritime cities, and in all those cities the inspection is compulsory whenever the fish is shipped. The fees for inspection have been very high so far, and the hon. member for Charlotte anticipates that if the fees for inspection are decreased the inspection districts will be multiplied, and that, sooner or later, the county of Charlotte will become part of an inspection district. If, to-morrow, for instance, the county of Charlotte were organized into an inspection district, inspection would immediately become compulsory, and that is what the hon. member objects to. The hon. member says that at present a large part of the smoked fish produced in his county is shipped from that county to the United States without being inspected, and he proposes that wherever there are inspection districts inspection should not be made compulsory, but left optional; so that if, to-morrow, the Government organized his county as an inspection district, then the law shall not make inspection compulsory, as it is now. He does not ask to have the law altered—he could not, as the

Bill provides for the reduction of inspection fees—he only asks that if the fishermen of Charlotte should prefer it, they might export their fish without having them stamped and inspected. If the law remains as it is, the fishermen can export their fish without being subjected to inspection, but the Government propose that, by a mere Order in Council, the county of Charlotte may be organized into an inspection district, and then it will be compulsory upon all the fishermen of that county to have their fish inspected, and that is what the amendment proposes to avoid.

Amendment (Mr. Gillmor) negatived on the following division:—

YEAS:  
Messieurs

Anglin,	Gillies,	Pickard,
Bain,	Gillmor,	Rinfret,
Béchar, d,	Gunn,	Robertson (Shelburne),
Blake,	Guthrie,	Rogers,
Bord <sup>er</sup> ,	Haddow,	Ross (Middlesex),
Bourassa,	Holton,	Rymal,
Burpee (St. John),	Huntington,	Scriven,
Burpee (Sunbury)	King,	Skinner,
Cartwright,	Laurier,	Smith,
Charl <sup>on</sup> ,	MacDonnell (Inverness),	Thompson,
Coupal,	Malouin,	Trow,
Dumont,	Mills,	Weldon,
Fleming,	Olivier,	Wheler,
Geoffrion,	Paterson (Brant),	Yeo.—42.

NAYS:  
Messieurs

Abbott,	Fulton,	Merner,
Allison,	Gault,	Mongenais,
Arkell,	Gigault,	Montplaisir,
Baker,	Girouard (Kent),	Mousseau,
Bannerman,	Grandbois,	Muttart,
Beaty,	Haggart,	O'Connor,
Beauchesne,	Hay,	Ogden,
Benoit,	Hesson,	Orton,
Bergeron,	Hilliard,	Onimet,
Bill,	Hooper,	Patterson (Essex),
Boultee,	Houde,	Pinsonneault,
Bourbeau,	Hurteau,	Platt,
Bowell,	Ives,	Plumb,
Brecken,	Jackson,	Pope (Compton),
Brooks,	Jones,	Pope (Queen's),
Bunster,	Kilvert,	Richey,
Burnham,	Kirkpatrick,	Robertson (Hamilton),
Cameron (Victoria),	Kranz,	Rouleau,
Caron,	Landry,	Routhier,
Cimon,	Lane,	Royal,
Colby,	Langevin,	Ryan (Montreal),
Costigan,	Lantier,	Rykert,
Coughlin,	Longley,	Schultz,
Coursol,	Macdonald (King's),	Scott,
Currier,	McDonald (Cape Breton),	Shaw,
Daly,	McDonald (Picton),	Sproule,
Daoust,	McDonald (Vict., N.S.),	Strange,
Dawson,	Macmillan,	Tasse,
DeCosmos,	McCallum,	Tellier,
Desaulniers,	McConville,	Tilley,
Desjardins,	McQuaig,	Valin,
Domville,	McDougall,	Vallée,
Drew,	McGreevy,	Vanasse,
Dugas,	McQuade,	Wade,
Elliott,	McTory,	Wallace (Norfolk),
Farrow,	Manson,	White (Cardwell),
Fitzsimmons,	Masson,	Williams.—113.
Fortin,	Massue,	

Bill read the third time and passed.

PATENT ACT AMENDMENT BILL.

Mr. POPE (Compton), in moving the second reading of Bill (No. 45) (from the Senate) to amend the Patent Act of 1872, said: It has been found that many people do not quite understand the operation of the Act passed in 1872, which varied considerably from the previous Act. It has frequently happened that applications for patents, coming a day or two after the expiring of the time required for notice, or even on the same day, and the applications being lodged in the Patent Office, the parties suppose it is all

Mr. LAURIER.

right. The object of this Bill is to give the Commissioner of Patents, in cases where applications are made in good faith, but a day or two late, an opportunity to investigate the matter, and if he is satisfied that they acted in good faith, he may give them an extension of time, but not to interfere with any person that may have used the patent in the meantime. This Bill is brought in in obedience to a pressing demand from many parties for legislation in the direction pointed out. The hon. member for West Durham will find, by looking at the first clause of the Bill, that the change made in the Senate is confined to applications made one year ago. My own impression is that it may work a little hard. However, if the Bill passes the second reading we can discuss the matter in Committee of the Whole. In some cases it appears the party was not duly authorized to take out the patent at that time, and did not send their transfer, or something of that kind.

Sir ALBERT J. SMITH. How many cases are there?

Mr. POPE. Perhaps there may be twenty. I do not know. That is the object of that clause. The second clause merely carries out the present arrangement. The third clause is for the purpose of relieving persons who have acted in good faith, and supposed the matter was all right. Section seventeen is for the purpose of setting forth clearly that a fresh patent was to be taken out before the expiration of the patent. It is also proposed to insert the words "before the expiration of the second five years." I make these alterations that no more mistakes may occur. That is the whole intent and object of the Bill, which I submit for the consideration of the House. In respect to the fifth clause it has been found in fact that the provision for all applications to pass through the Attorney-General is a mere matter of form. It is not done. They are perhaps submitted to some clerk, and the Minister knows probably no more about such matters than the clerk; consequently we thought it better to strike out that provision.

Mr. BLAKE. I will leave the Minister of Justice to answer the observations made by the hon. gentleman with respect to the manner in which the duties devolving upon the Department of Justice have been performed. The 18th section of the Patent Act provides:

"Every patent and instrument for the extension of time as aforesaid shall, before it is signed by the Commissioner or any other member of the Privy Council and before the seal hereinbefore mentioned is affixed to it, be examined by the Minister of Justice, who, if he finds it conformable to law, shall certify accordingly, and such patent or instrument may then be signed and the seal affixed thereto, and be duly registered shall avail to the grantee thereof."

I understand the hon. Minister of Agriculture to make two objections. First, that the Minister of Justice has not performed his duty in point of fact, but has left it to some clerk who knew nothing about it; and second, that it would not have been better if it had been left in the hands of the Minister of Justice himself, as he knew no more about it than the clerk. I certainly would not have made such an observation, but, in the frankness and familiarity which necessarily arises from the cordial relations which subsist between those hon. gentlemen, they can talk about these matters in a manner which I would not venture to adopt. It is of much consequence that these important documents should be made conformable to the law, and this will not be accomplished by striking out the clause. With respect to the other parts of the measure, it was certainly introduced in the Senate in a more liberal form for the patentees, whose patents have expired, than its present form; and if I rightly understood the Minister of Agriculture he rather objected to the limitation introduced by the Senate, and was inclined to suggest that the House should revert to the original terms of the Bill. It will be satisfactory at an early stage to know what the views of the Government are—what, in

point of fact, they propose. The hon. Minister has told us the Bill is not satisfactory to him, and that he thought it should be in different terms. What are the terms in which they ask us to agree to it, what are the changes which the hon. Minister proposes to make from the Bill, as passed by the Senate? It was introduced in the Senate by the leader of the Government, but altered very considerably in the course of its progress through that body. Although I think this measure objectionable, I am not making these observations with a view to opposing the second reading of the Bill, but I am making them at this early stage because we should know something more about it before it takes the next stage, and because it is important to know what persons and what patents come within the scope of this measure as now proposed, and still more what persons and what patents will come within its scope if passed in such terms as the Minister thinks should be adopted. We have an indefinite measure before us now. The hon. Minister does not know how many cases will be affected; he thinks about twenty. It is not a difficult matter, however, to ascertain the facts. We can learn the cases in which patents have expired up to this time, and in which not more than one year will have elapsed, and in which the application was made within ten days of expiration. We can then see for what particular cases it is proposed to alter the general law. The hon. Minister says it is intended to deal with such cases as appear to deserve relief, because the applications have been made in good faith, and that the omissions occurred through misapprehensions, but I do not observe that that limitation is contained in the measure. There is an unlimited discretion allowed on the part of the Commissioner as to what he should do; but, subject to that which is attempted to be provided for in the Bill, there is no ground given by the Minister except that the applications in question had been made in good faith, the parties being at the time under a misapprehension as to the law. With reference to the meaning of the law I do not see how there could be any misapprehension as to the first renewal, since the clause says the application for a renewal of a patent must be made "at or before" the period of expiration. It seems to me that no interpretation can be placed on that clause to indicate that a patentee is entitled to apply after the expiration of the time. The Act says that a patent shall be valid for five, ten, or fifteen years, at the option of the applicant. The applicant knows that his patent is valid only for the five or ten years for which he applies for it. Then the Act goes on to say that "at or before the expiration of five or ten years the holder may obtain an extension." If he may obtain it at or before he cannot obtain it after. I am defending the hon. gentleman's own legislation—for I think he was Commissioner at that time—against his attack upon it, and against his imputation of ambiguity. There is no ground for the measure, so far as it applies to the first five or ten years. As to the second five or ten years, I agree that the phrase in the Act with reference to that is not as plain as the hon. gentleman should have written it; yet I think, by the ordinary process of reading, as "at or before" applies to the first extension, it should apply to the second also. It seems to me, before we can pronounce a judgment, we ought to have a list showing the persons who have applied for patents, what the patents are, and the periods at which their applications were made, and the circumstances, and I ask the hon. gentleman to bring down such a statement before he asks us to take another stage with this measure.

Mr. POPE (Compton). It occurs to me that the hon. gentleman has not made out much of a case. I say a doubt was expressed. The Deputy Minister of Justice said that he did not understand this as I understood it.

Mr. BLAKE. Perhaps it was only a clerk in the office.

Mr. POPE. No; it was the Deputy Minister of Justice, who was appointed by the hon. gentleman himself. I believe, if there was such a doubt about the matter, that it ought to be set right; and I thought if that gentleman, who was the deputy of the hon. gentleman, and approved by him, could not throw light upon it, people who had not the mental calibre of the hon. gentleman, might be excused for not understanding it. That is the reason I ask for that change. The hon. gentleman has not shown one single reason why it should not be changed.

Mr. BLAKE. I am not objecting to the change, but the change does not justify the other part of the Bill.

Mr. POPE. As to the 18th clause, to which the hon. gentleman objects *in toto*, what is its effect? It is to prevent delay and hindrance in work by making the law more clear, so the Commissioner will have no difficulty in arriving at a decision, and not be obliged to refer so often to the Department of Justice. The following is a list of applications:—

Name of Patentee.	Title.	Reasons for Refusal.
L. Nightingale, Windsor	Spring Bed Bottom	Balance of fee only, received from New York, Dec 3, 1874 Patent expired Nov. 25, 1874.
Wm Fraser, Glenwilliams, Ont.	Hay Elevator and Conveyor	Original Patent called for Dec 17, 874, but not sent in until Jan. 8, 1876.
Wm Brown, Easton's Corners, Ont	Gate Hanger	Petition and original Patent asked for Dec. 31, 1874, only received Jan. 27, 1875.
J. F. Williams, London, Ont	Strap Buckle	Application and fee received after expiration of Patent. (Extension of 10 year Patent.)
W. H. Baker, Windsor, N.S.	Skate Improvements	Application and fee received after expiration of Patent.
Jos Downing, Branford, Ont.	Stove - Pipe Damper	Application received Oct 21, 1875 Patent expired Sept. 5, 1875.
M. Selway, Toronto Ont	Boot and Gaiter Tree	Application received one day too late.
H. Collard, Kingston, Ont.	Harrow	Application received March 27, 1876 Patent having expired March 8 1876.
T Sullivan, Picton, Ont	Snath Turner	Application and fee received July 1, 1876. Patent expired April 20, 1876
Thos. Forfar, Waterdown, Ont	Root Cutting Machine	Application and fee received Dec. 28, 1876. Patent expired Dec. 23, 1876.
J. Frechette, St. Hyacinthe, Que.	Shingle Sawing Machine	Applied three days too late.
Jno. Law, London, Ont	Tar and Petroleum Burners	Applied one day too late.
G. C. Hodge, Colebrook, N. H., U.S	Endless Chain Horse Power	Fee received six days after expiration of Patent.
A. H. Calkins, Chesterton, Ind. U.S	Washing Machine	Applied one day too late.
John Taylor, Whitby, Ont.	Pot Strainer	Application received in time, but Mrs Taylor, widow of late John Taylor, had no legal right to extension without letters of administration.
T. A. Heintzman, Toronto, Ont.	Improvements on Piano-Fortes	Applied four days too late.
John Dennis, Newmarket, Ont	Log Barn	Patent expired February 20, 1879. Application only completed March 5, 1879.
John Haggart and David Brown, Garafraxa, Ont.	Grain Separator of Thrashing Machines	Applied four days too late.

## List of Applications—Continued.

Name of Patentee.	Title.	Reasons for Refusals.
N. E. Smith, Rich- ford, Vt.....	Milk Cooler.....	Applied four days too late.
R. Dick, Buffalo, N.Y. ....	Machine for Ad- dressing News- papers.....	Applied one day too late.
P. K. Dealy, St. John, N.B.....	Locomotive En- gines.....	Applied one day too late.
J. S. Bogle, Spring- field, Mass.....	Seeding Machine...	Applied three days too late. Fee received six days too late.

Mr. McDONALD (Pictou). I have heard, for the first time, the complaint made by my colleague, that on reference to the department these matters were not properly attended to. I regret I did not hear the complaint before, and without saying a word as to the competency of either the head of the department or the subordinates, I shall certainly enquire whether the subordinates of my hon. friend have correctly informed him in stating that the patents were either sent or, when sent, were neglected. It appears to me the whole thing is in a nutshell. The Bill of my hon. friend is to relieve persons who have omitted in time, under the law, to apply for a renewal of their patents. It is an appeal to the justice of the House to enable my hon. friend to remedy the grievances of which these people justly complain. It does not appear to me, therefore, to be entirely-irrespective of the other point raised by the hon. leader of the Opposition, as to whether the ambiguity in the Act was of such a character as to require amendment. That appears to me to be only a subordinate part of the general object which my hon. friend has in view. The main object is to give relief to the persons named in the list, who shall make out a case that will entitle them to it. Whether there be any ambiguity or not in the clause referred to by my hon. friend, it is sufficiently plain to bear a reasonable construction, and induce parties who desire a renewal of patents to exercise a little caution by keeping within the doubtful side of ambiguity, by making the application in time to secure a renewal. But that is no reason why, on the ground taken by my hon. friend opposite, the relief sought for should not be given. When we go into Committee, I fancy that the clause that has come down from the Senate, and which, I understand, was here altered in its phraseology somewhat, will have to be made clear itself; the question as to the necessity for dealing with such ambiguity in the original Act would also be dealt with. As to the last clause, striking out section 18, which requires a return of the Department of the Minister of Justice, I take it for granted that my hon. friend, when making the observation he did, that so far as the technical character of the invention was concerned, and its aptitude for the purpose for which it was proposed to obtain a patent, it could not be dealt with in that department, said what is manifest to everybody. All that could be done there, even by a competent clerk—and I am glad to see that many are competent even in so very unprofessional a matter—would be to see whether the requirements of the Act had been complied with. I think it would have been a graceful act on the part of my hon. friend if, instead of reflecting on the department of which I have the honor to be the head, he had said his own people were so competent to discharge their duties that he had found it was not necessary to ask their advice. It would have been kindly, so far as the

Mr. POPE (Compton).

gentlemen in my department are concerned, to have put it on that ground. I dare say, on the other ground, there is a good deal in what he says. A competent Commissioner of Patents ought to be able to determine whether applications had come in at the proper time, and the provisions of the Statute had been carefully and literally complied with. I dare say, if competent to decide the main questions, he would be competent to decide as to details of that character, in which case it would undoubtedly be a waste of time to remit them to the Department of Justice for consideration. The important question only might then be submitted to the department—as to whether the application was valid and ought to be granted.

Mr. WHITE (Cardwell). As I understand the statement of the Minister of Justice, this Bill has been submitted to the House in consequence of applications made to his department by persons who had neglected to do what the law required, in order to secure the continuance of the privilege granted under it; and that he submits it simply with the view of ascertaining the opinion of the House on the subject. I very much regret it has been submitted at all. I have listened to the statements of the Minister of Agriculture and of the Minister of Justice, but I confess I see no reason why this Parliament should be called on to interfere for the purpose of remedying an injury or loss which has occurred to people on account of their own neglect of their own interests. The Patent Law gives persons who take out patents very great privileges. They have exclusive rights to those patents for fifteen years after their obtainment. They may take them, at first, for five years, as a mere experiment; after which they can renew them up to periods of ten or fifteen years. It does seem, then, that when a privilege, to a certain extent exceptional, is given parties, they ought to have sufficient interest in it to look to the law and observe its requirements, if they want an extension of such privilege. It seems to me that this Bill, if passed, may act very injuriously in some quarters. I understand the first clause—and not being a lawyer, I speak with deference—runs to this effect: any person who should have made an application, within ten days of the time of that Act, and any time within a year afterwards, the Minister of Agriculture may, if he thinks proper, grant the renewal sought. As I understand it that, after all, will apply to all cases where patents have lapsed up to that time, I quite understand the position as to all cases where applications may be made within the ten days.

Mr. BLAKE. It includes all cases in which not more than one year has elapsed.

Mr. WHITE. Then, as I understand it, the law will be only retroactive for one year from the present. But, during that time, other interests may have sprung up in connection with this matter. Other persons may have undertaken the manufacture of the article the moment the patent expired, as the law would permit. I am aware there is a clause contemplating that such action has really taken place; because the third clause declares that nothing in the Act shall interfere with the right of such persons as to the specific articles they have manufactured during that time. As I understand that clause, it will operate in this way: a patent for a churn or washing-machine expires, and a person undertakes to manufacture it. At the end of a year, the measure gives the patentee a renewal of the patent. As to the specific articles manufactured during that year, the owner would be permitted to sell or use them; but after that he could manufacture them no longer. So that in reality he may have made all his arrangements for their manufacture, and have incurred serious expenditure, yet under the law, and in consequence of

the lapse of the patent, and when this Bill has passed, he will find that all that money and labor is lost, and that his interests have not been considered, for the benefit of a person who thought so little of his own interests as not to have considered it worth while to apply for a renewal of his patent before the time expired. I am aware that this Parliament has given special relief under special Private Bills, in relation to patents expired. If there should be any case of that kind, it does seem to me—if the matter is of sufficient interest to justify the Legislature in granting special relief in the interest of the patentee—it ought to be sufficient interest to him to induce him to come before it with a petition and ask for a Private Bill, to give him the privilege he has unfortunately lost by his own neglect. It seems to me a case in which private and not public legislation should take place. I sincerely hope this Bill will not pass.

Mr. ROBERTSON (Hamilton). I concur in a great deal that has fallen from the hon. member for Cardwell (Mr. White) with reference to the inadvisability of extending those patents. The Patent Law, to a certain extent, is an obnoxious one, because it creates a monopoly such as is not altogether beneficial. At the same time it is very desirable we should give encouragement to people who do invent good and useful machinery, and make other useful discoveries. Now, I submit that, if we are to have a change at all, it ought to be more extensive than is proposed in the first clause of this Bill. It proposes to deal only with such cases as have come before the Commissioner of Patents, and these are cases "in which not more than a year has elapsed since the expiration of a patent, and application to renew the same has been made to the Commissioner of Patents within ten days of such expiration." If that section passes in its present shape it will do a very great wrong; it will be a piece of special legislation for those particular individuals who have not been sufficiently careful in looking after their own interests. I think that the first sentence of the clause should be amended so as to read: "In all cases in which not more than a year has elapsed since the expiration of a patent, and application to renew the same has been made to the Commissioner of Patents within ten days after the passing of this Act." If the first clause is to pass at all, I think that would be a reasonable amendment; and I certainly do not think it would be fair to legislate in favor of those patentees who have made application for renewals under the circumstances mentioned by the hon. Minister. With reference to the argument of the hon. member for West Durham (Mr. Blake), I certainly would be very loth in expressing an opinion different from his own on a legal question, but I cannot agree with the argument he has made use of with reference to the phrase which reads, "at or before the expiration." I submit, in the first place, that the language in the clause is very ambiguous, because, if you can make application before the expiration—that is, at any time before five years have elapsed—that means the application can be made up to the last minute of the day on which the time expires—then what is the use of using the word "at," unless it is to be construed to mean "after." I submit it must therefore mean, and should read "after the expiration." I can therefore quite understand the Deputy Minister coming to the conclusion that the clause was not as clear as it should be. On the other hand, I think it is probable that if a legal decision were to be asked, the hon. member for West Durham would be held to be correct in his view as to the real intent and meaning of the Statute. But I think that in matters of this kind there should be no ambiguity and that the meaning of the law should be so clear that he who cannot read may read. This very afternoon I received a letter from a firm of gentlemen in Hamilton, saying that by an oversight their patent had expired on the 8th of this month,

and asking if the patent could not be extended. According to the law as it now stands, this cannot be done.

Mr. BLAKE. They had better put in an application immediately.

Mr. ROBERTSON. An application would be of no use until the clause is amended.

Mr. BLAKE. Certainly it would. Eight and seven make fifteen.

Mr. ROBERTSON. But that does not bring it within the provision of the first section: It says "in all cases in which not more than a year has elapsed."

Mr. BLAKE. "Not more than a year." It need not be a whole year.

Mr. ROBERTSON. The clause proceeds "not more than a year has elapsed since the expiration of a patent, and application to renew the same has been made to the Commissioner of Patents within ten days of such expiration."

Mr. BLAKE. That is within ten days after the expiration. Any time before the 18th your case will come within the clause, so you had better telegraph them.

Mr. ROBERTSON. I have telegraphed them, but I do not think it will do any good, because, as I read the clause, it refers to those which have really expired and applications have been made within ten days before the expiration of the patent.

Mr. BLAKE. The hon. gentleman knows that the Bill will not be assented to to-day, and will not be assented to before his application is in.

Mr. ROBERTSON. But it does not apply to the cases in which the time has not already expired and application has not been made. That is the view I take of the matter, but I shall be glad to know that I am wrong. The clause should be amended as I have suggested by striking out the word "of," and inserting "after."

Mr. JONES. I do not think that this Patent Act should be amended so often, for it is quite ambiguous enough at present. The legal gentlemen on both sides of the House are unable to agree upon its meaning; in fact, it is so ambiguous that unless a man is a lawyer, or a patent agent, or something of that kind, it is only with the greatest difficulty that he can get a patent through the department. If the law is to be amended, it should be so simplified that a layman could understand it, and could get a patent to issue without being obliged to pay large fees to patent agents and other intermediaries. I notice that this Bill as sent down from the Senate is somewhat different from the measure as at first introduced in the original Bill. It was provided that no patent should be revived at any date subsequent to the 1st of January, 1883, but according to the amended Bill no patent shall be revived after the 31st of October, in the present year. Then, I notice that the schedule to the original Bill, showing the date of expiration of twenty-two patents, if they were revived—the dates running up to 1890—has been omitted, and as it would have been of some service, I cannot understand why it was struck out. As I understand from the arguments made use of in this debate, if an application is made within the prescribed period, the patent is revived of necessity, and not at the mere option of the Government. I think that it is not advisable to have a wholesale renewal of all these patents without knowing something about them. If people who have patents allow them to expire by an oversight, they should come to this House and ask for a renewal by a special Act. That is the only way I think it should be done, because if we pass a wholesale Act like this, it may be very injurious to many individuals who are working closely upon some of these patents, and who, if the Bill is passed, will be precluded

from working under them any longer. I, therefore, think the Bill should not be passed, but if through carelessness the time has been allowed to expire, if the patents are worth anything they are worth the trouble of coming to this House and asking special legislation for the extension of the time.

Mr. McCUAIG. The objection my hon. friend refers to is overcome by clause a, which reads:

"In all cases in which not more than a year has elapsed since the expiration of a patent, and application to renew the same has been made to the Commissioner of Patents within ten days of such expiration, the Commissioner may, in his discretion, and after such hearing of conflicting interest (if any, as he may deem expedient, revive the expired patent and continue the same for the period for which, if application has been made in time, it might have been extended under the Patent Act of 1872, but no such patent shall be revived after the thirty-first of October in the present year."

Now it so happens that I am familiar with a case where an application was sent with the money to a member of this House three or four days previous to the expiration of the patent, and by the neglect of the member it was not taken over to the office until a few days after expiry, and the Minister refused to renew it. I certainly think this was a case where the owner of the patent was entitled to some further consideration. I think this Bill is very important and ought to be accepted. It is all very well for the member for Leeds (Mr. Jones) who is a manufacturer and benefits by these patents, to take the course he does, but it is a very hard case for a poor man who makes a discovery in mechanism to lose a small patent of this kind by oversight, or by ignorance, and who has to pay \$200 or \$400 to get it renewed. I may say that in the case I referred to the money was sent to myself, together with the application, but not being familiar with the rules of the department, I, unfortunately, allowed it to lay in my desk two days too late, and when I went to the Patent Office the Minister told me the law would not permit him to receive it.

Bill read a second time.

#### THE CANADA TEMPERANCE ACT, 1878.

Mr. BOULTBEE, in moving the second reading of Bill (No. 52) to amend the Canada Temperance Act of 1878, said: In proposing this measure to the House I shall endeavor to deal with it in a reasonable and argumentative spirit. As far as I can discover there seems to be a great deal of feeling about the Bill, at least I should so judge from the numerous anonymous letters I have received on the subject, threatening me with various pains and penalties if I proceeded with the Bill. But the letters being anonymous I have not paid any attention to them, and I shall venture to brave the pains and penalties which may be imposed upon me. In proposing this amendment, the position I take is not in any way against the temperance cause, but in its favor. The object of this Bill is merely to make it necessary, before the Scott Act shall go into effect, that its principles shall have been affirmed by a full majority of all those who have a right to vote in the district in which it is submitted, and I conceive that the principle of the Bill is one which, when reflected upon fully, will be seen to be in no way against the cause of temperance, but strongly in its favor; because I do not know anything—at least, in the Province of Ontario, from which I come—which is doing so much harm to the cause of temperance as the attempts which are being made to force this prohibitory legislation on the people. These attempts distract the attention of the people from the legitimate means of dealing with this evil, and are intended to substitute for them a process of legislation which fails in every instance to effect the object desired. In no case that I am aware of—and I have paid a good deal of attention to this matter—has this prohibitory

Mr. JONES.

legislation been successful, either in Canada or in any other country; in fact, it seems to bring the cause of temperance into disrepute; because, whenever you attempt to enforce a law which does not commend itself to public opinion, but which is felt to be tyrannical and unjust, it not only excites people to break the law, but tempts them to break it, merely for the sake of asserting their independence. I have read the opinions of some of our leading thinkers and jurists who have given much consideration to this question, and the weight of all authority seems to be against all attempts to coerce people by prohibitory legislation. Among those who are in favor of this prohibitory legislation, we do not so much find the most earnest and valuable advocates of temperance, but rather busybodies who wish to gain some sort of notoriety and to bring themselves before the people, and politicians who have not been very successful in a legitimate way, and who have become as they say, "played out." In the city of Hamilton, and throughout several Ontario counties, this prohibitory law is being at the present moment agitated, chiefly by one of these played-out politicians, who is endeavoring by this means to escape from that obscurity into which he has been relegated by the common sense of the people. But from such a description, I wish specially to except the hon. member for Annapolis (Mr. Longley), one of the strongest and most ardent supporters of a prohibitory law in the House; but he has got his brain so soaked with it that all the cavities are filled up, to the exclusion of every sense of justice in regard to this question, and he has become very tyrannical in his way of dealing with his fellowmen. He does not seem to consider that in this case he is seeking to enforce a law which is ruinous to many men, destroying their property, their income and their means of living, without any compensation. He and gentlemen like him come and say to me in private conversation: "Why do you treat temperance men exceptionally? Why will you subject them to a law which you do not apply to other people?" I say that argument does not stand on fact, because in a Statute of the Province of Ontario, with regard to a matter not nearly so important as this, the very principle contained in this Bill has been affirmed, namely, with regard to bonuses in aid of railways or other undertakings. If it is necessary that there should be a clear majority of all the ratepayers entitled to vote, in order to carry a bonus by-law, surely it is necessary that there should be a clear majority to carry a measure like this, which restricts the liberties of the people, and is a sumptuary law of an exceedingly harsh character. Sumptuary laws have been tried in other countries in a way which we should think absurd. For instance, in Russia, under a pure despotism, a ukase was issued some years ago, ordering that men should wear their beards and hair in a particular fashion. Even in Russia it was found very difficult to enforce that trivial law, because it was regarded as interfering with the personal liberties of the people.

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

#### AFTER RECESS.

Mr. BOULTBEE. When the House rose, I was trying to establish the position, not only that by this Act I did not seek to apply any exceptional law to people in favor of the Scott Act, but also the principle that a majority of those entitled to vote should pass upon such a law before it should come into operation, and in support of this I showed that the Act, as passed in the Province of Ontario with regard to bonuses, established that principle. I was going on to show that even if this principle were not admitted, the Scott Act is in itself of such an exceptional character that it should have exceptional provisions attached to it for guarding the people and the country, its revenues, and its general status, against the effects of that Act which are so

prejudicial in their character. I think I shall be able to demonstrate in a way that cannot be answered, that the position I take is a correct one. All the scientists, all the great thinkers, all the men whose opinions are worth anything, agree that any such law or of a cognate character, whose object is to restrict the liberties of the people, must have public sentiment in its favor before it can, by any means, have effect; and as it is an affirmative proposition of the temperance people that the public sentiment is in favor of such a law, it devolves on them to show that in support of their view, they have a majority of all those who are going to be affected by the law. If this is not the case, no Act of a like character can, by any possibility, have any effect. I gave some illustrations of the effect in other countries of endeavors to pass sumptuary laws—laws interfering with personal liberty; and I demonstrated that none of those laws, even in despotic countries, have ever resulted in a thorough actual and practical working. The reasons in favor of the amendment, which I bring in this Bill to effect, may be briefly summarized. Any Act seeking to enforce a sumptuary law, to interfere with the liberty of the subject, should have at any rate a full majority of the people in its favor before it takes effect. Another strong reason is, that it is a law exceedingly harsh in its provisions. What are these gentlemen, who are in favor of the Scott Act, seeking to do? Are they not trying to promote some very exceptional legislation? Are they not seeking to outrage every principle of fairness? Are they not seeking to break the Divine law: "Do unto others as you would be done by?" Is there any other instance in the working out of our constitutional system where men are sought to be injured, their property rendered valueless, themselves deprived of the means of making a living; is there any other instance except in the working out of this Scott Act where such injuries are sought to be inflicted on men entitled to equal rights with ourselves, without compensation being made to them? The advocates of the Scott Act say those men are engaged in such a traffic that they have no rights as other men have, it is a meritorious thing to legislate them into ruin and make them no compensation. In the history of the laws given effect to under our system of civilization, as long as the British Constitution endured there is nothing so harsh, severe, destructive of every idea of British honor, fair play and justice as this attempt to work this Scott Act. Yet these gentlemen say they do not like exceptional legislation. The position I take is this, while I am as much in favor as any man of reasonable temperance, not only in eating and drinking, but in speaking of others, in dealing with other men, in fact, in every condition of the affairs of this life, I do not believe this Scott Act will effect what its promoters say it will. I believe it to have proved a failure in every instance in which it has been tried. There is nothing throughout the length and breadth of the country that is bringing so much disgrace on the temperance cause as this Scott Act. I affirm the principle that before an Act of this character can be given effect to, it must have the support of the majority of those who have a right to vote. This affirmation will be re-echoed in the minds of the people from one end of the Dominion to the other. You cannot, by a small majority, force a law like this down the throats of the people and have it respected. I ask these advocates of the Scott Act to cast their eyes over the country and see what has been the result wherever it has been given effect to. Has it been favorable to the temperance cause. It has been a curse to the temperance cause, and very many of those whom we find crusading the country on every hand, trying to give effect to this most iniquitous Act are not the leaders and makers of public opinion. On the contrary, many of them are men who make a living out of temperance. They are temperance lecturers, men very largely of weak brains and infirm

purpose who, being unable to restrain their own appetites except through the most rigid abstinence, look upon themselves, because they have taken the pledge, as extraordinary apostles, as surrounded with a sort of a halo, and entitled to lecture other men who are able to restrain their appetites, to conduct properly the affairs of this world, and take care of their families. I repel indignantly the charge made against our country, that we are a nation so degraded as to require such a law as this to be enforced. I deny that the people of Canada are a nation of drunkards. In my few travels throughout the world—and I have been in other countries than this—I have seen no more sober, law-abiding people than the people of Canada. They do not require a law like this to keep them sober. There are hon. gentlemen who are opposed to me on this question, professed advocates of temperance, some of them are men whose opinions I much respect, though on this question they have become, from a long study of it, so impressed with the evils of intemperance—which every one deplores—that they are not able to deal with the matter in a fair spirit. But I think the preponderance of the temperance men in this House, men who have been consistent temperance men all their lives, are in favor of the proposition I now submit. I hope they will say something in this debate. I refer to the hon. member for West Montreal, to the hon. member for Cardwell, and the hon. member for Cornwall, the latter of whom I regret is not in his seat. All of them being consistent temperance men they are entitled to as much respect as the hon. member for Annapolis and the hon. member for West Middlesex. There are many consistent temperance men who have been working hard all their lives, who tell me that the Scott Act is not only not a benefit—an Act of no advantage to temperance—but is directly injurious to it; because it draws men away on all occasions from the proper exercise of the proper means to promote temperance. It is doing more than that—it is leading people to break the laws, and bringing temperance into disrepute when it is seen that the Act is of no effect, but promotive, instead of temperance, of intoxication. What are the inevitable results of the passing of this prohibitory law in one of our counties? The legitimate business of properly conducted hotels is destroyed, because their owners are subjected to such supervision that they cannot, if they even wished, be able to carry on their affairs and sell contrary to the law. What is the result? The consumption of our wholesome and nutritious Canadian ales and wines falls into disuse to an enormous degree, and ardent spirits, which may be conveyed in a much smaller bulk, and which are often manufactured out of the most deleterious materials, are used in their stead—not by respectable hotel keepers, but by the vilest of the vile, in such low haunts as best conceal their business; and so the Dunkin Act, as this one may be called still, instead of promoting temperance, directly militates against it wherever it is adopted. What has been the consequence? Speaking only from memory, I do not think the Act has ever been passed in any place in Ontario without being afterwards repealed immediately. That circumstance ought to silence all opposition to my Bill. I have a return from the Local Government of the places in which it was carried in Ontario. I see in the very large County of Bruce it was carried by but 3,700 votes, while 12,000 stand on the list. In Brant 2,000 voted for it out of 7,000 voters. In Essex 225 voted for it, and 102 against it, in one municipality. In Haldimand 1,200 voted for it out of a total vote of nearly 6,000.

Mr. THOMPSON. It was defeated in Haldimand.

Mr. BOULTBEE. It was. My list is dated some time back, and, therefore, is not a full one, but it shows what would be the fate of the Scott Act if tried elsewhere. Any sensible and reasonable man who fairly wants to promote temperance, but set to worry and persecute his neighbors,

or to destroy our Canadian ale and wine trade, and promote the sale of the vilest liquors that can be used to ruin the health of mankind, has only to read this return of the counties in which the Act has been adopted and repealed in order to willingly give his support to this Bill. In the County of Brant, it was carried by a vote of 2,000 against 1,800; but repealed by a vote of 958, only 141 voting against it. What was the reason of that? How is it that this Act to promote temperance and do so much good, that was going to increase sobriety and make all men temperate, promote the happiness of many homes and abolish drunkenness, was, only a short time after its enactment, so unpopular that only 141 persons in that county voted to retain it? Because they found in that county, as I and most other public men in Canada have noticed, under similar circumstances, that a worse condition of affairs as to drunkenness succeeded the adoption of the Act. I do not mean there was a tremendous change for the worse, but that drunkenness increased to a much greater extent than before the passage of the Act. Well, in the County of Grey it was tried and repealed also. It is a large county of 13,000 votes, only 4,000 of whom voted for the law. In that great county much trouble and expense was incurred and much turmoil excited, much business was destroyed and property rendered worthless when steps were taken to repeal the law. Well, 1,388 voted for its repeal and only 161 for its retention. I do not know, then, how any man of common sense, common judgment and common honesty would desire to perpetuate a law attended with such results. I have not the return of the town of Peterborough when the law was enacted, but I have the return for the time at which it was repealed. There seems to have been a consensus of opinion that the law should be repealed, because the vote on the occasion was very small, only 177 being cast on both sides—172 for and only five against the repeal. And yet some hon. gentlemen say we ought to try the Act further, and submit it in all counties where it has not been presented. It seems to me that if it is to be submitted—but I think the common sense of the community has condemned it as useless—surely the position I take by this Bill is the correct one—that before such an obnoxious law is passed on the people, at least the public sentiment in its favor should be marked by a majority of the electors voting for it. I have said that its results include the ruin of the respectable hotels and the development of the illicit drinking of the worst liquors and the increase of intemperance on all sides. But very largely has been increasing in this country every year, the use of our wholesome ales, beers, and Canadian wines. Directly you pass this Act, and do away with the legitimate hotels, you do away with those wines and ales, because they are too bulky to be used in that illicit manner, and at once you force upon the people the larger consumption of liquors compounded of the vilest materials, from which a profit is illicitly made. This Act encourages evasions and defiance of the law, and an increase of perjury; and it is rather remarkable that wherever you attempt to enforce a law not in accord with the public sentiment, and which does not gain their respect, the breaking of that law does not seem to be attended with the disgrace connected with the infraction of more proper enactments. All men in the House acquainted with the business of the country, all the lawyers and magistrates will bear me out in my assertion that an enormous amount of perjury has been developed in the attempt to enforce this prohibitory law. But the unfortunate result of the breaking of the law and the encouragement of perjury in one particular, is, that a man having once broken the law in one respect becomes more careless about breaking it in others, and a man who sees perjury committed or a case sworn through, as is too frequently the case in these prosecutions, is led to think that he could promote his own ends and accomplish other objects by means of perjury and evasion of the law.

Mr. BOULTREE,

Another result is, that after a municipality has been put to the expense of having this Act submitted, after the loss of revenues which it sustains from its operation in every place where such legislation has been tried, the result has been to intensify the evil of intemperance. The amendment which I propose only says that if you are determined to carry the Act which has somehow or other got on the Statute-book, you must at least be able to show that public opinion is unmistakably in its favor. It may be said that the present test in that particular is a fair one, but experience goes to show that people do not care much for the interests of others in matters of this kind. The hotel keepers, brewers, and other people of that class who have their property and means of living taken away from them, are numerically a small class, and while those who are in favor of the Act are active in their campaigns; while they throw every obstruction in the way of those who would feel disposed to record their opinion against the Act; while the temperance lecturers and other gentlemen who put themselves on a high pedestal of morality, which will perhaps cover other matters, are found at every polling place pouring contumely and reproach upon those who do not think as they do, I say that under these circumstances it is difficult to secure a fair record of public opinion. I have seen ministers of the gospel and others, who should have known better, standing at the polls and defying people to vote against the Act, and throwing out the penalty of holding them up to public opprobrium. Men do not like to expose themselves to that sort of contumely; they do not like to be styled "Children of the Devil fighting in the army of Satan," when they venture to record their opinion of what is right, and the result is that a fair record of the opinions of those opposed to such legislation is difficult to obtain. We have not had this sort of legislation attempted in this country for a very long time. It is a thing of recent date. We have been pursuing the cause of temperance according to the old-fashioned way—by trying to manufacture public opinion—by the better class of our men exemplifying temperance, and their efforts have been wonderfully successful, for there is no more sober or temperate class of people anywhere than those of Canada. But we have had an example of the effects of prohibitory legislation in some of the neighboring States, and especially in the State of Maine, where it has been in force for twenty-seven or thirty years, and which has given a name to this prohibitory liquor law. If we may judge by the abnormal condition of affairs which it has produced in that State, we must say that its results have been most disastrous. The evidence of their own people is that during the twenty-seven years of the operation of the prohibitory law in that State, the people have sensibly deteriorated; crime has increased; drunkenness has increased, divorce has increased to a most alarming degree, a degree almost amounting to the destruction of the domestic ties—and these evils are so marked that they have elicited observations from their public men and have been commented upon by the Judges of the State. The New England intellect at present, keen though it be, is not an intellect which is working to the advantage of the world; though keen and subtle it is a gnarled twisted intellect, it is in those States that "isms" have their growth, that disbeliefs are prevalent, that the foundations of religion are sapped and broken, that the domestic ties are not respected, that murder and all the more violent crimes is on the increase. If we are to take them as the results of a prohibition law then, God forbid that we should imitate such legislation in this country. I do not speak without the book in making these remarks. I have in my hands a copy of the *Hamilton Spectator* of February 11th, in which is a report by Judge Goddard, of Portland. He says that within twenty or thirty years murder has increased 600 per cent. in that State; man-

slaughter, 400 per cent; murderous assaults, something like 300 per cent. He says that Maine seems to head the calendar in the North-East for an increase in criminal offences; and he concludes by saying that a community where crime, immorality and suicide are rapidly increasing is surely verging towards barbarism. He says that in Portland there are 130 rum shops, that intoxication is rife there, that there is more drinking than ever before, and that this prohibitory legislation has utterly failed to carry out the intention of its promoters. Is it unfair to assume that if we pursue the same course here we shall have the same result? I think we may fairly assume, that what little we have seen of the working of prohibitory legislation amongst us, shows how very rapidly we may arrive at the unfortunate state of things that prevails in Maine. I shall read a short extract or two from one of the most influential organs of public opinion in this country. The article states so strongly and so succinctly the evil of this legislation, that I felt when I read it that I should do better to read it to this House instead of making any remarks of my own, because it states the case so much better than I can do it. It says:

"An evil of this kind of legislation is that the evading of it is hardly ever felt to be a moral offence; hence it can never be really enforced, and the convictions can only be obtained by means of personation, lying and dirty devices. The litigation caused by it is exceedingly costly, and it familiarizes the people with perjury, mendacity and transgression of the law. . . . But, say the gentlemen of the Alliance, by these laws we make drinking disreputable, and drive it out of sight. Drunkenness is indeed disreputable; but it is our growing good sense, the advancing civilization, and the power of Christianity, not prohibitory legislation, which have made it so. And if you drive drinking into secret places, after all, have you gained very much? It is like sweeping a litter under the table and boasting that you have cleaned the room. . . . The Scott Act is financially extravagant, morally debasing, and totally unworkable, and will, we trust, in its present shape at least be rejected by the good sense of the people of Canada as likely rather to hinder than to help the cause of temperance."

Well, Sir, these are remarks that I think cannot be contradicted. Then, again, with regard to Portland, it says:

"The advocates of prohibition point to poverty, disease, lunacy and crime, and claim that the passage of prohibitory laws will diminish if not extinguish them. The simple and complete answer to this is—that as a matter of experience such legislation has always increased them. In the State of Maine prohibition has been the law for over twenty-five years, and the statistics show a steady growth in the number of paupers, lunatics and drunkards. Portland, before the passage of the prohibitory law, with a population of 24,000, averaged 300 drunkards a year; in 1876, with a population of 35,000, the number of drunkards was 1,640."

I may say with regard to the city in which I live, Toronto, the proportion of drunkards to the population is only one-half as great as it is in Portland. Then again:

"Another main argument of the Prohibitionists is, that if you forbid the use of alcoholic liquors you so enrich the community that direct taxes more than recoup the loss to the excise. Facts show indisputably that under prohibition the consumption of ardent spirits is vastly increased, as are pauperism and lunacy. Under the Dunkin Act the municipalities lost their revenue from licences, and got absolutely nothing in return, nay, had to pay the saintly whiskey detectives, who traded their wholly fictitious illnesses and fatigue on the unsuspecting benevolence of the deluded publican. What sane politicians would consent to abandon the excise revenues, which commend themselves heartily to public sentiment, for a supposed increase in the national wealth which is contradicted by all experience? We wish to guard ourselves here from misapprehension. We admit heartily that if our people did not use alcoholic liquors they would grow richer; our contention is that successful prohibition is impossible, and the unsuccessful attempt deprives the Government of revenue, fosters immorality, protects adulteration, and benefits no one but the wily politician, who makes it a tool to carve out his own slice from the national pudding."

Then here are a few words which I commend to those gentlemen who seek to make a nation temperate by means of this prohibitory law. Let them heed these words because they are pregnant with meaning:

"The action of moral and spiritual remedies is undoubtedly slow, because they depend for their efficiency on the co-operation of the human will. Christianity, after nearly nineteen centuries, has much of its work yet to do, but that is no impeachment of its truth and ultimate efficacy. The legitimate work of temperance is tedious perhaps, in its operation, but that is no excuse for drastic remedies which will endanger the life of a patient. In spite of the pessimists the world is advancing, and our race

is growing in self-restraint, in manliness and nobility of character. We counsel the friends of temperance to patience and perseverance; and it is because we desire to see their efforts directed into a channel which will lead to success, because we heartily sympathize with their object, that we denounce such legislation as the Scott Act, on the ground that it is immoral, unworkable, mischievous where enforced, and an enemy to the best interests of society."

I expected to be asked this question, and I may say here that the *Toronto Mail* is the most influential organ of public opinion in the Dominion of Canada, at least in the Province of Ontario. It has a circulation of 70,000. It is conducted on business principles, and its object is to echo the honest sentiment of the people; that it has done so in politics we have ample evidence. It sounded the tocsin of the National Policy, and echoed the people's wish there. It was not far astray on the great scheme we have just carried through Parliament. But then, it may be said, these are political matters on which the paper represented the opinions of a party. But here is a matter in the interests of society, and the common well being of the country, and its managers would be fools if they ran counter to public opinion. I believe that paper echoes public sentiment as correctly on this matter as it did in the political issues to which I have referred.

Mr. ROSS. The *Mail* elected the Mayor of Toronto in the last municipal election.

Mr. BOULTBEE. If you cannot show anything against the influence of the *Mail* better than the election of the Mayor in Toronto, I think the *Mail* will be able to stand alone and run yet. The *Mail* is sneered at because it is a political organ, but I do not see why a newspaper which takes a sound stand on political matters may not take a sound stand on matters other than political. Here is an extract from one of the first living thinkers in this country or in Great Britain—I refer to Goldwin Smith. I suppose there is no publicist in either country whose writings have so much influence on the public mind. He says:

"We come back always to the same thing. Sumptuary legislation cannot be enforced in a free community. The Czar Peter might have compelled his subjects to give up brandy as he compelled them to cut off their beards. He needed no aid from public sentiment to give effect to his ukase. But in a free community your law without public sentiment is a dead letter. Prohibitionists may be ready to call upon the Government for vigorous measures, but not one in ten of them would himself help the police in interfering with the private habits of his neighbors. Mere self-indulgence, however injurious to the man himself, is not an offence against the State, and people in general cannot be induced to treat it if it were. Some persons hold tobacco to be a slow poison; others hold meat to be the same, as, if used in the excessive quantities in which many people use it, undoubtedly it is. Suppose the anti-tobaccoists or the vegetarians to be everywhere in a majority, will it be their duty to close by law the shops of the tobaccoists and butchers? If we want to change the diet or the habits of freemen, we must do it by argument and example. The end will not be so quickly attained as it would be by the ukase of the despot, but the work will be the more genuine, more lasting, and more truly moral."

In the *Bystander* and other works of the same writer, and I dare say hon. gentlemen have read them, Mr. Goldwin Smith takes the same view I have taken to-night, in fact I have taken my views largely from him. I take another article written by a public man of considerable note in this country, and published in *Belford's Magazine* of 1876, and from that article I will read the following short extract:—

"The Prohibitory Liquor Law thoroughly enforced would, I have never doubted, contribute more to the wealth of the State and the welfare of society than all the other of our Statutes put together. But if this law be enacted before public sentiment is prepared to enforce it, it must divert the attention of temperance men from the vigorous and individual employment of those moral influences which alone can give development and power to public sentiment. I affirm that its influence in New England has been disastrous up to this time."

That is taken from a work entitled "Fifty Years History of the Temperance Cause," by Mr. Stebbins. Well, Mr. Speaker, I have read quotations from the *Mail*, from Mr. Goldwin Smith, and from a distinguished publicist, but they are not alone. We look around in every rank of society where the great thinkers are, where we find men moulding

public opinion, and they are taking this view. I may refer to another gentleman, and I introduce his name with some hesitancy, because I do not think men of his position like their names to be introduced into parliamentary debate, but he made the statement publicly. I refer to the Rev. D. J. Macdonnell, of Toronto, who expressed his view as being opposed to a prohibitory law as an aid to enforcing temperance. He is a consistent man, who, by his earnest piety and the beauty of his life, is an ornament, not only to his church, to the city where he resides, but to the country, and his view is against these men; yet he is an earnest man, working and devoting his whole life for the good of his kind, a simple, earnest, straightforward Christian, whom all must admire if they cannot agree with him. Far eastward there is a gentleman, some of whose words I read not long since, Rev. Dr. McRae, who takes similar ground. I have already read, to the House an extract from the *Mail*, the best and most influential exponent of public opinion in Ontario. I do not think I am far astray in saying that the most influential organ in the Province of Quebec, if you judge it by the test of the number of its subscribers, is the *Montreal Gazette*, the editor and proprietor of which is a member of this House, and is a consistent temperance man, doing as much and perhaps far more for the promotion of the temperance cause than the hon. members for Annapolis and West Middlesex put together; for while those hon. members may be doing their best according to their lights, yet the influence of the hon. member for Cardwell is wider and larger, and the reasons I have advanced in favor of the passage of the amendment I propose to the Scott Act have been largely taken from arguments adduced by the *Montreal Gazette*. I think I have, perhaps, detained the House longer than I should have done, but I feel rather warmly on this question, being somewhat of an earnest man when I take up anything and desiring to handle it in the best way I can. It does seem a remarkable thing to find a Government calling itself a paternal Government, a Government that brings down its Budget, with large sums to be derived from revenue, and partly derived from taxation on articles of drink—and properly so because, much more than articles of food, they are luxuries—I cannot understand why a Government which derives large revenues from the imposition of customs and excise duties on liquors should allow an Act to remain on the Statute-book which separates the dealers in those commodities from every other class, and renders them liable to the harsh and arbitrary will of men, fanatical in this respect, and not imbued with the principles of fair play and justice, and to be legislated out of their means of livelihood and rights, while, at the same time, the Government derives a large revenue from taxing them. It does not appear to be a fair thing that the Government should allow such an objectionable Act to remain on the Statute book; and the Government ought, and is bound to support such an amendment as I now propose, so that if such a harsh and arbitrary law—a law taking away men's property, and depriving them of the means of living—is to be put to the test, it should be passed with the sanction of a full majority of those in whose power it is to give it effect.

Mr. MILLS. Why not tax their industries, when you support others by protection?

Mr. BOULTBEE. The hon. member for Bothwell is a publicist and a metaphysician, and I am sometimes unable to comprehend him, and in the present case I cannot see the pertinency of his remark to the present discussion. Of course, it is owing to my stupidity in not being able always to comprehend his remarks. I dare say the hon. gentleman experiences some pricking of conscience for having assisted in the passing of the Scott Act, when, perhaps, he thought he was aiding the cause of temperance, while he failed to look sufficiently far to see the gross injustice to people whom, as Mr. BOULTBEE.

the member of a Government, he was bound to protect. Mr. Speaker, I have placed this matter before the House in as brief a form as possible, and all I hope is that as the debate rolls on, and my remarks will be answered, the House will not be troubled with long lectures on temperance which are not appropriate. No one can deplore the evils of intemperance more than I deplore them. The issue involved in the passage of this Bill, or its defeat, is this—is it desirable that a law like the Scott Act should have effect unless it is shown to have the approval of a full majority of those who are entitled to vote on it? That is the only question at issue. It is not a question of temperance. The question is whether granting that it is a law which it is well to try in order to see whether it will have beneficial results, is it desirable that this sumptuary law, affecting the privileges of the people, confiscating men's property, and restricting their liberty, should be carried into effect unless public sentiment is in its favor to such an extent that its advocates succeed in obtaining the support of a majority of those entitled to vote for its affirmation or rejection.

Mr. OGDEN. I feel it to be my duty to offer a few remarks on this important question now before the House. The hon. member for East York (Mr. Boulton) has made a very lengthy and laborious speech. He has evidently accomplished his purpose; he thinks he has performed his duties to his friends, but he has also accomplished this: if there are any hon. members who have been halting between two opinions, I think after listening to the speech of the hon. gentleman they will have become thoroughly convinced that his Bill must be voted down. I sympathize with him very much. I wonder if the hon. gentleman would like his Bill to be judged by the same tribunal which he wishes the temperance question to be judged by. Is he willing that his Bill shall not pass unless it receives the votes of a majority of the members of this House, whether present or absent? For my part I have the honor of representing a temperance constituency where not one drop of liquor is sold, unless it is sold in violation of the law, and that without the Scott Act being in force. I shall feel it my duty to sustain the law as it now stands, because I think it is nothing more than right that it should have a fair trial, and I beg to move in amendment:

That the Bill be not now read a second time, but that it be read a second time this day six months.

Mr. ROSS (Middlesex). I am exceedingly glad that my hon. friend has proposed that amendment. I had intended to move such an amendment myself, in the full confidence that it would meet with the approval of the majority of this House. I have listened with very great interest to my hon. friend from East York (Mr. Boulton), while he attempted to give reasons why his Bill should be sustained by the votes of the members of this House. I have, on a former occasion—last year, I think—opposed an amendment in similar terms to that contained in the Bill of the hon. member. I have on former occasions in this House, advocated what I believed to be those temperance principles which, when applied and sustained by law, would promote the well-being of this country; and in doing so, I thought I was allying myself with a body of respectable, influential and useful men. I had no hesitation in casting in whatever little influence I had with the temperance men of this country, without fear, that by so doing I would lower my position in society or materially destroy my own usefulness, and I was surprised to learn from the hon. member for East York that in allying myself with the temperance men I was allying myself with those who were "laboring to destroy their neighbors," men who "outraged every law, human and divine," men who were "besotted in brain," men who were "intemperate," men who were "working for hire," men who "could not control their passions," men "without common sense, common honesty, or common judgment" and "fanatics." I

have given you a few choice morsels from the hon. gentleman's speech, descriptive of the temperance men of the Dominion of Canada. I am ashamed of them. I have given you a few choice morsels descriptive of such men as the hon. Minister of Finance, leading bishops, archbishops, clergymen, doctors of divinity, judges, lawyers, and other distinguished men—such men as Vice-Chancellor Blake of Toronto, Judge Jones of Brant, Professor Wilson of Toronto, and Principal Dawson of Montreal—such names as Sir Wilfrid Lawson of England—all insignificant men without common sense or common honesty—and I find myself here to-night in that classification. Well, Sir, in spite of these associations, in spite of the depressing effect which you can well understand, falls upon me in defending the Temperance Act of 1878, I propose, nevertheless, to call your attention to some reasons why that Act should be maintained in its entirety. My hon. friend, in proposing an amendment to the Scott Act, is acting adversely to public opinion. Every principle contained in the Temperance Act of 1878 was supported by a very large majority in the old Parliament of Canada in 1864. That principle was accepted by the people of Canada, and was never reversed by them. True, its application was enlarged, better machinery was provided for rendering it effective, but the public opinion of the people of Canada is that the majority in our municipalities shall have the right for themselves to say whether or not they wish the sale of intoxicating liquors to be sanctioned among them. Nor was the Temperance Act of 1878 forced upon this Parliament hurriedly. The matter was well considered. The agitation which culminated in that Act began by the appointment of a Committee during the Session of 1873. Petitions were presented from time to time in favor of that Act. In 1874, I find, by the report of the Committee of that year, 132,465 individual signatures were appended to the petitions laid on the Table of this House. Besides these, petitions were presented from municipal bodies representing a population of 478,756, as well as from the presbytery of Manitoba, from the members of the New Brunswick Legislature, from the Synod of the Canadian Presbyterian Church, from the Young Men's Christian Association of the city of Fredericton, from the Baptist Conference of New Brunswick, from the professors and students of Knox College, Toronto, from the Brockville and Ottawa Railway Company, from the General Assembly of the Canada Presbyterian Church, from the Niagara Annual Conference of the Methodist Episcopal Church, and from the Ontario Legislative Assembly, over the signature of its Speaker. These were presented in 1874. They were renewed in 1875, showing that the public sentiment was ripening. I find in a report presented to the Senate, that petitions were received by the Senate bearing 349,294 signatures. Of these 302,012 were from Ontario, 140,308 from Quebec, 16,335 from New Brunswick, 13,622 from Nova Scotia, 3,174 from Prince Edward Island, 34 from British Columbia, and a petition was received from the Presbyterian Church, of the Province of Manitoba—so that every Province, in some form or other, called the attention of the Legislature to the necessity of some action being taken in regard to this question. Now, I hold that legislation secured after such a strong request, and after the careful attention of the Senate and House of Commons was given to the Act, is of such an important character that the House should hesitate before it unceremoniously destroyed the deliberate opinions of Parliament so expressed. Although the Temperance Act of 1878 is dated three years back, we can only be said to have had it for one year. It was only recognized to be within the limits of our Constitution during the winter of last year by the Supreme Court; yet my hon. friend from East York proposes now, although we have only had the Act enforced hardly for one year, although any evil that it might inflict upon the community

has not yet been ascertained, to set aside the deliberate opinion of Parliament as expressed in the Session of 1878, by an amendment to the Act which, by emasculating all that is excellent in it, practically destroys it. He proposes to do this before we have had any opportunity of ascertaining whether the Act is inefficient or inoperative. My hon. friend will not be sustained in this course by public opinion. Under what pressure is he acting? Has he presented any petitions to this House in support of the course he has taken? Before the Scott Act was placed on the Statutes, I venture to say that nearly a majority of the people of this Dominion, in one form or another, petitioned for that legislation. The very fact that the Local Legislature of Ontario itself, by a unanimous vote, petitioned for prohibitory legislation, taken in conjunction with the other petitions, proved that it was asked by a majority of the people. What evidence has the House to lead them to believe that the arguments my hon. friend advances in favor of the destruction—I use the word advisedly—of the Temperance Act of 1878, are backed up by the public opinion of this country? Allow me to say further, that my hon. friend is exceedingly anxious that this Bill should pass, because he is afraid that in the present form a majority of the people would tyrannize over a minority. Constitutional government, as I understand it, is founded on the principle of government by majorities. If, however, the objections of my hon. friend are well founded, instead of proposing to have the Temperance Act of 1878 carried by a majority of names in the voters' lists, he should propose a repeal of the Act. If this Act is wrong, if it is an Act of spoliation, if it outrages public opinion, if it destroys the liberty of the people, he should propose either compensation for those whose property is destroyed, or the repeal of the Act. If the manner in which the Act is brought into force inflicts a wrong on any municipality, would his Bill make that wrong right, because under it, the wrong would be inflicted by a majority of the names on the voters' lists? This is his position. His argument is inconsequential. If he argued according to the logic of his own facts, he would have to waive the position he advocates and say to the House: "The Temperance Act of 1878 is wrong in principle; it does injustice to vested rights; it is, as are all sumptuary laws, an injustice, and will end in failure. I, therefore, propose its repeal." But instead of taking this logical position, he says that the Temperance Act passed by a majority would be wrong; but if passed by a majority of names on the voters' lists, the wrong becomes right, and all the evil consequences that flow from a sumptuary law, its spoliation and interference and vested rights, would be right, and the Temperance Act of 1878 become a blessing instead of a curse. I commend his amendment to his reconsideration, and trust, if he proposes to attack the Act, he will attack it on its merits and not by a side wind. His Bill involves a further injustice. It does not propose the Act shall be carried by a majority of all the voters entitled to vote, but it says: "If the majority of all the voters whose names are entered on the voters' list used at such a polling place are for the petition, the same shall be held to have been adopted, but not otherwise." He is introducing a new principle, and he justifies the introduction of that principle by the sixteenth section of 21 of the 4-43 Victoria, Province of Ontario. That section says: "To render valid a by-law of any municipality for granting bonuses in aid of a railway, or for promoting any manufactures, the assent shall be necessary of the majority of all the ratepayers, who are entitled to vote on the by-law." There is some fairness in that, and it is from that the hon. gentleman says he has copied his Bill. If my hon. friend had proposed that the Temperance Act of 1878 should not prevail unless sustained by a majority of those who were entitled to vote, we would have had something to govern us all; but he proposes the Temperance Act of 1878 shall not prevail unless sustained by a majority of all the

names on the voters' lists. What does that mean? It means, in the first place, that the man who comes up and votes for the Temperance Act of 1878, under his Bill, if it passed, will have no more influence than a dead man in the village churchyard; in the second place, the man who is at his post of duty and votes for the Temperance Act of 1878, has no more influence than a man who may be in Tasmania; further, the man who may have his name entered on the voters' list five or ten times, as is frequently the case in Ontario, may vote once for the Act, and nine times against it, contrary to his own will. Is that the honest legislation we are going to get from my hon. friend? We are charged with being deficient in common sense. Is that a proof of common sense? We are charged with being deficient in common judgment. Is that a proof of the supreme wisdom of my hon. friend? Is it common honesty? If my hon. friend can point me a clause in the Temperance Act of 1878 that has the stamp of dishonesty so clearly on its face as that simple statement in his own little Bill has, I will abandon the Act altogether. I give him all the liberty he may want in the advocacy of his side of the question. Would it not be an outrage on common decency—I use the words of the hon. member who introduced the Bill—for Parliament to place on the Statute-book a Bill by which a living man would have no more weight than a dead man in the councils of his country—by which a man living in the Dominion, discharging his duty to his country and Queen, would have no more weight than a man wandering in a foreign land? Would it not be disgraceful to all common decency, not to say to all common sense, that a man should be compelled by a Statute of Parliament to vote nine times against himself when he was endeavoring to enforce his opinions by his action at the polls? I hope my hon. friend will reconsider another point in his Bill. But let me first say that we have various grievances of a local character. Take the case of a constituency in the Maritime Provinces, where a number of electors may be at sea—in that case, what would be the result? Every man thus providing for his livelihood would be counted as voting against the Act of 1878, no matter what his opinion on the subject. We understand, and I think the House and country have understood, that the principle upon which our legislation is founded—by which the affairs of this country are governed municipally as well as by Parliament—is the general, broad principle that the majority must govern. Why has my hon. friend opposite sought such a principle as that? It is because he was in search of some respectable authority by which he might sustain the position he intended to take? It is because he was afraid that, without the precedent of the Legislative Assembly of Ontario, he would find no person in the House to consider his proposition? While finding that, the precedent in reference to a railway bonus by-law, he might find hundreds of precedents in regard to the policy of government by the majority. Look at the excellent school system of Ontario. How is that managed? Is it by the principle of the hon. gentleman's Bill? No; but by the principle of the rule of the majority. Why did he not quote that instance? Look at our municipal or parliamentary system, and what do we find? We find these systems are founded in the broad principle that the majority must rule. I contend that, under the circumstances, it is safer, more honest, more convenient, that in this, as in other legislation, we should follow some broad principle. Or, if you consider the importance of the matter to be adjudicated upon, I contend that the principle of the majority should apply. How are we governed in this House? How did we dispose of vast interests in this House a short time ago? How do we dispose of all great affairs but on the principle of the majority? No matter how important temperance legislation may be, it will not be contended it is more important than that carried on in this House. If it be confessed that it is

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not, nor more important than the legislation of the great parliamentary assemblies of the Kingdoms of Europe, then let us honestly apply to this question, important as I believe it is, only the same broad principle which is applied to legislation in other cases. But if we apply to my hon. friend's own election, for instance, the principle of his own Bill, how would he stand? I find in the East Riding of York there were at the last election 4,774 voters, of which the hon. member polled but 1,526, or thirty-four per cent. Well, if his principle were applied to his own case, where would he stand? He would not be here. We should not see his manly form or hear his melodious voice. Elsewhere my hon. friend would be, no doubt standing up for the same great principle of legislation; perhaps, were he inside this House, he would be contending for the right of being elected by a minority of the total vote, the only chance, perhaps, he might have of being elected under any circumstances. Let us apply this rule to the case of other hon. gentlemen in this House, and what do we find? If we applied it to those hon. gentlemen in front of you, Mr. Speaker, everyone of us would have to leave the House but the hon. leader of the Government and my hon. friend the Minister of Militia. There are only two members in this House to-day who were elected by a majority of the voters in their respective constituencies; and only two other cases where the gentlemen were elected by forty-nine per cent. of the electors; and besides them, every other hon. gentleman in the House was elected by less than forty per cent. of the electoral vote of his constituency, except the hon. member for Prince Edward, who was elected by forty-one per cent. Now, if the principle is good as applied to the Temperance Act of 1878, let us have it of general application, and in the vote we are shortly to give in regard to the proposed destruction of the Temperance Act of 1878, let my hon. friend who introduced the Bill accept the effects of his own medicine, and agree as an amendment to the Bill he now proposes, that no amendment should take effect unless carried by a majority of the Commons. But he says, further, that he is acting in the interest of the temperance cause. Well, I ask for his credentials. I want to know what temperance organization has sanctioned his course? Why, the Dominion Alliance, the other day, in this city, at its annual meeting, passed a resolution protesting against the passage of what it calls the Boulton amendment, which he has introduced in this House. He has not the sanction of that representative body that has spread its organization from British Columbia to Prince Edward Island. The Sons of Temperance, an organization representing over 30,000 members in the Dominion, at their gathering passed a resolution, after the amendment of last year was introduced in this House, protesting against its ratification by Parliament. The Independent Order of Good Templars, representing, perhaps, a larger membership, passed a similar resolution. I do not know, then, by whom the hon. gentleman is accredited. I do not know how he stands on the floor of the House to claim to speak for the temperance men of Canada. But what do we find besides? We find that the Canada Methodists, at their last General Conference, passed a resolution protesting against the adoption of the amendment he has now proposed. In the General Assembly of the Presbyterian Church, and at the annual meeting of the Baptist denomination of Canada, similar resolutions were passed. Wherever men have spoken out their views in regard to the temperance question, they have protested against the proposition of my hon. friend from East York, and yet he pretends here to speak for the temperance men of Canada. We have evidence that the Temperance Act of 1878 is reasonably acceptable to the people of the country. True, it has only been adopted and retained by one county in Ontario, but there is to be a vote within a few days in Hamilton, in the county of Wentworth, and in Halton. It has been adopted

by the whole of Prince Edward Island, and by one of the largest counties in Manitoba, that embraces nearly half the Province, Marquette. It has been adopted in New Brunswick, Fredericton being the first municipality to decide for it; and in Carleton, Albert, Charlotte, King's, Queen's and, I think, and am now informed, in Westmoreland; also in York and in the city of Woodstock. In Nova Scotia it has been adopted in Digby, Queen's, and is going to be voted on on the 17th March in Shelburne. Petitions have been made for its adoption in Yarmouth, Hants, King's and Gloucester, and have been largely approved, I am told. These facts prove that the Temperance Act of 1878 is acceptable to temperance men. It will be quite time enough for my hon. friend to propose his amendment when it shall have been shown that the Temperance Act of 1878 fails to accomplish what we trust it will accomplish. The hon. gentleman points to the failure of the Dunkin Act as a proof that the Scott Act will be a failure. The two cases are not analagous. Not only are the methods of introducing the two measures very different, but the penalties which are provided, and the machinery by which the Temperance Act of 1878 is to be enforced, are by no means the same. The Dunkin Act was a failure in many respects. The privilege allowed to those who were prosecuted for infringing its provisions of constantly appealing from one court to another, frequently prevented the results which temperance men expected would follow from the prosecutions under the Act. Under the Temperance Act of 1878, when cases are tried before a police magistrate or a stipendiary magistrate, appeals are not allowed, and we expect that many beneficial results, which were not obtainable under the Dunkin Act, will follow from that provision. The hon. gentleman did not argue fairly when he argued against the Temperance Act of 1878, by the example of the Dunkin Act. But the hon. gentleman protests against all sumptuary legislation.

Mr. WHITE (Cardwell). Would the hon. gentleman go on and state all the points and differences between the two Acts. I do not ask him in a captious spirit to do so, but as a matter in which the public are interested.

Mr. ROSS. In the first place any thirty petitioners could ask for the submission of the Dunkin Act—now it requires 25 per cent. of the names upon the voters' list to be attached to a petition and transmitted to the Minister of Justice through the Secretary of State before the Scott Act—as we call it—can be voted upon. This petition is an evidence that there is a substantial temperance sentiment in the constituency in which it is intended to have a vote on the Act before a vote can take place, and I agree with my hon. friend that a substantial public sentiment is necessary to the effective operation of the Act, as I believe it is necessary to the effective operation of any law. I believe it is as necessary for the maintenance of public morality in any form, as it is for the maintenance of that form of public morality which we suppose the Temperance Act of 1878 is designed to enforce. But besides the mode of submitting the Act there are other differences. The penalties under the Act are greater than those provided under the Dunkin Bill. The penalty for the first offence is \$50, for the second offence \$100, and for the third offence, imprisonment. In the next place, when a summary trial takes place before a police magistrate or a mayor, under the Act no appeal can be made. Fourthly, the defendant himself, or prosecutors under the Act, may be examined, by which we can ascertain more easily and with certainty if he has violated the law. Fifthly, the husband may give evidence against the wife or the wife against the husband. Sixthly, liquors, casks and other paraphernalia may be forfeited, and in many cases destroyed. Seventhly, search can be made for liquors sold contrary to law,

and if found can be forfeited or destroyed. Eighthly, an action can be brought by any person. Ninthly, certain portions of the fines are to be set aside, to form a fund in aid of prosecution. Tenthly, it is not necessary to prove the precise description of the liquor, the actual passing of money, or the consumption of the liquor, a transaction in the nature of barter and sale is sufficient; and where apparatus is found with liquors it is *prima facie* evidence of guilt, and the onus of proof rests upon the defendant in many important cases under the Act. It will be seen from this summary of the main points of difference between the two Acts, that the Temperance Act of 1878 gives greater powers to magistrates and police officers to see that the law is carried out. My hon. friend made an allusion to the eastern States to show that sumptuary legislation, as practiced there, was destructive of the intellectual fibre of the people. My hon. friend could not have been very familiar with the public sentiment which prevails there. Does the hon. gentleman not know that the most active public sentiment, that the force of all other forces which moulds and creates the public sentiment of the United States, exists in the eastern States? Can he produce a single fact to show that there is not at present in the eastern and north-eastern States as active an intellectual fibre—if I may use the term—as in any other portion of the United States? Whence came the Daniel Websters and the Blaines of American politics? Have not the eastern States given us such orators as Wendell Phillips and Lyman Beecher—such poets as Oliver Wendell Holmes and William Cullen Bryant? Have not many of the legislators, the orators and the poets of the Republic come from those States? Do they not produce the most active and refined men of letters which the United States has ever produced? My hon. friend has cited an example which proves too much for his case. If he had cited Tennessee, or Mississippi, or Missouri, or Indiana, where there are no prohibitory laws, he might have found something to sustain him; but as it is, if I wished to rest my case on the intelligence or the intellectual force and vigor, or the domestic or moral purity or the character of any portion of the American Republic, I should have selected the eastern States, as furnishing evidence upon which to ask that the Bill of the hon. gentleman should be unanimously rejected. If we could raise a population with the intellectual keenness of the average citizen of the United States, with his constructive skill and his mental refinement and his moral purity, by temperance legislation, then temperance legislators would be the greatest benefactors of the age, and the Temperance Act of 1878 would be one of the most valuable Bills ever placed on the Statute-book of Canada. The hon. gentleman says crime is on the increase in the State of Maine. Well, Sir, crime is on the increase in the Dominion of Canada. It is on the increase in the Province of Ontario, and that in a very alarming degree. The hon. gentleman's statement again proves too much. The House will, perhaps, allow me to quote a few figures from the last report of the Inspector of Prisons and Asylums for the Province of Ontario, received since the House met. It will show how crime is on the increase in Ontario, and will be an effectual answer to the position taken by my hon. friend. In 1869 we had committed to the jails in Ontario, 5,655 persons; in 1870, 6,379; in 1873, 7,877; in 1875, 10,073; that is, an increase of 100 per cent. in six years. In 1880 the commitments were 11,300, that is to say, from 1869 to 1880, commitments to the jails in Ontario averaged from 5,656 to 11,300. Now, Sir, that cannot be said to be the result of temperance legislation, because there was no temperance legislation in Ontario at that time. If it be true that crime has increased in Maine, as my hon. friend says, why has it increased in Ontario? The Inspector of Prisons, Mr. Langmuir, than whom there

is no more efficient and painstaking officer in the employ of the Ontario Government, says:

"The number of commitments to the common gaol has, as nearly as possible, doubled during the past eleven years, but the rate of increase from year to year has been exceedingly variable. . . . It is important to note, however, that while the number of commitments have increased on the whole, the increase has not been anything like so great in one class of offences as in others. Thus, while commitments for crimes against the person and property, and against public morals and decency, which may generally be designated indictable offences, increased from 2,214 in 1869, to 3,919 in 1880, being at the rate of about 7 per cent. per annum, the offences against public order and peace, of which drunkenness and vagrancy constitute nine-tenths, increased from 2,886 to 6,640, being at the rate of about 12 per cent. per annum."

Here we have a statement from the Inspector of Prisons of Ontario that drunkenness and vagrancy constitute more than nine-tenths of the indictable offences in what we call the fair Province of Ontario. Out of the 11,300 commitments to the jails in that Province, he says 3,069 males and 726 females were committed as drunk and disorderly. If we investigated other crimes for which drunkenness is largely responsible, it would only go to confirm the position which temperance men, I am sorry to say, are obliged to take, that crime is associated with intemperance. No doubt there is crime. My hon. friend tries to cast reproach upon temperance legislation by citing the State of Maine. Let me cite the little town of St. Stephens, in the county of Charlotte, New Brunswick, where the Temperance Act has been enforced since last May. During the eight months ending with December of last year, the arrests were 49 for drunkenness, but since the Act came into force the number of arrests has diminished to four. I am not just now disposed to argue the question of the result of prohibition in Maine, but I am disposed to say that the Temperance Act of 1878, if applied and enforced will fulfil to a large extent the purpose for which it was intended. My hon. friend says it is a frequent source of perjury. But every law may be said to be a cause of perjury in the same way. We have placed a law upon our Statute-book against bribery and corruption at elections; will any man say that that law is not a frequent source of perjury? If the Temperance Act causes perjury, it does nothing more than any other law. I venture to say there is not a law upon the Statute-book of the Dominion of Canada but in some sense may be said to be a source of perjury. The principle upon which the hon. gentleman asks us to repeal this law—for that is what this Bill amounts to—would repeal all legislation, and in order to avoid perjury we should blot out from the Statute-book every law that has been passed. But the hon. gentleman also says that temperance legislation is a frequent cause of lunacy. He says that lunacy is on the increase in the State of Maine. But I find by the report of the Inspector of Lunatic Asylums in the Province of Ontario, that lunacy has increased largely in that Province, and I may say in that connection that the consumption of intoxicating liquors is also on the increase. Would I be wrong in putting these two things together and drawing a conclusion, that because intemperance was on the increase and lunacy also, that one was responsible for the other? If because lunacy is on the increase in Maine we should therefore have no temperance legislation; on the same reasoning, because lunacy is on the increase in Ontario, we should have no intoxicating liquors sold, because intoxicating liquors are sold very largely and lunacy is increasing in Ontario. I find that the county which my hon. friend represents 1,714 lunatics were sent to the asylum last year.

Mr. CAMERON (Huron). I do not wonder at it.

Mr. ROSS. More than three times the number of lunatics were sent from his county than from any other county in Ontario. Following the logic of my hon. friend I would conclude that he was only about one third as wise as the average elector in Ontario. I would conclude from his  
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logic that if the Riding of East York furnishes more lunatics than any other county in Ontario, it is because he represents that county. I am following his own logic. He says, because there is temperance legislation in Maine, therefore lunacy is increasing. I find lunacy on the increase in East York, and I find my hon. friend representing that county; therefore, lunacy is increasing in East York because he represents that county. That is a specimen of his logic. It just proves as much in the one case as in the other. I hope the House will adopt the amendment moved by my hon. friend behind me. I hope the House will not feel that before we have had an opportunity of testing the legislation adopted by the last Parliament, after many years of agitation, we should cast aside the decision thus arrived at. I think we ought to pause and see whether the course we adopted in 1878 is a wise one or not. We have only planted this plant, and we ought not to pluck it up by the roots before it has scarcely budded or blossomed. I have evidence to show that in the city of Fredericton the Act has worked as well as any other legislation. I will read a short quotation from a statement made by the Police Magistrate of Fredericton, who says:

"The Police Magistrate of Fredericton, Professor L. Marsh, Esq., writes under date of July 20th:—As Police Magistrate of the city of Fredericton, I have much pleasure in being able to certify to the favorable results of the Canada Temperance Act since it came into operation in this city on the 1st of May, 1879, and more especially since the Act was declared by the Supreme Court of the Dominion, to be within the constitutional powers of Parliament.

"There is no such thing now as the open sale of liquor by retail in public houses or saloons; there is, of course, an occasional case of illegal sale discovered and punished. The cases of street drunkenness are very few indeed, and the business at the police office arising out of intemperance has been reduced by at least one-half.

"I feel safe in saying that in this city the working of the Act has been such as ought to satisfy the reasonable expectations of all friends of temperance."

Now, Sir, we are just testing the virtues of this Act. We are just testing it to see whether it serves the purpose for which it was intended. If it can be shown that the Temperance Act of 1878 is a failure, if we have the proof, substantial and convincing, adduced by any hon. gentleman, I shall be as ready to vote for its repeal as any other member. Why? Because I believe that an Act that cannot be enforced should be repealed. I do not believe temperance men are unreasonable. We may be charged with violating every law, human and divine, we may be charged with being fanatical; but I think we have been exceedingly moderate in forcing our views upon the people of Canada. We may be said to be an inferior order of the community, and occupy no very respectable position in society; but I challenge the hon. member for East York (Mr. Boulton) to show as the results of the liquor traffic, of which, I think, he is the special champion, any such beneficial effects upon the community as temperance legislation has produced. I challenge the hon. gentleman to show that society will be benefitted by the general, unrestricted sale of intoxicating liquors, and that under any system whereby the liquor traffic is in full force and produces its natural and ordinary results, society is in any degree more virtuous or more enlightened than it is where total abstinence is practised, and where the people eschew the use of intoxicating liquors. I appeal to the House on two grounds, then, to reject the Bill, first, because it is not desirable to repeal the Temperance Act of 1878; second, because the proposition of the hon. member for East York is absurd on the face of it; and, if allowed to add a third reason, I appeal for the rejection of the Bill of the hon. gentleman, because I believe on this question we are acting in consonance with public opinion, and in the interest of public virtue and morality.

Mr. PLUMB. I was quite prepared for the eloquent speech in which the hon. member for West Middlesex (Mr. Ross) has addressed the House; but I was a little unpre-

pared for the motion moved by the hon. member for Guvborough (Mr. Ogden). This question was discussed at considerable length during the last Session of Parliament. If the proposition now before the House is, as the hon. member for West Middlesex claims, an absurd proposition, it certainly received the sanction of a majority of the members last Session when it was fairly and fully debated. If it was an absurd proposition, my hon. friend (Mr. Ross), with that acuteness of logical reasoning which he has shown in the course of his speech, will readily admit that he charges a large majority of the members with a want of knowledge of what they were about in accepting that proposition last year, and I have no doubt but they will prove themselves absurd in the same direction when the vote is taken upon this proposition. I think it is useless to enter into a temperance argument, and I do not intend to follow the remarks of the hon. member for West Middlesex (Mr. Ross), or of the hon. gentleman who introduced this Bill. I place my support of the proposed amendment of the Scott Act upon an entirely different ground. I hold that sumptuary legislation, in order to be effective in the community, must have the moral support of that community; and if the friends of the Temperance Act are sincere they will admit at once that it is desirable that it should have at least the support of a majority of the voters of any district in which it is put in operation. That is a perfectly reasonable proposition to be made by the best friends of the Temperance Act, and every one who wishes to see it applied will feel that the only chance of its being kept on the Statute-book—for it can only be applied in isolated counties as it is not a general Act—is that communities will feel the effect of the moral power which has put the Act into operation; and I think hon. gentlemen who are opposed to the Bill beg the whole question when they say that to require a vote of the majority will virtually repeal the Act. I say if it rests on such a foundation, that the sooner it is repealed the better. I would, however, be very sorry to have it repealed until it has been tested. There is no hon. member who will rise and attempt to gain away the arguments which have been advanced setting forth the evils of intemperance. They are known and admitted among all of us who have any moral sentiment at all; the only difference of opinion is as to how to deal with these questions. I have, I believe, an honest opinion that this is not the true way of dealing with it, but I am willing to let it be tested. I am satisfied, and I believe I am in accord with many other gentlemen who have watched legislation on this subject, that, as a rule, legislation is ineffective for the purpose of suppressing this evil; but as we have legislation upon the Statute-book, I desire that the principle of the Act should be tested, and I think it cannot be fairly tested except by requiring that a majority of those who are entitled to vote for municipal officers in each county, who are registered on the voters' lists, shall be required to record their votes in favor of the Act before it is adopted. That is a proposition which seems to be an eminently fair one, and I do not propose to support it, because I intend by a side wind to kill the Scott Act; but I say that the advocates of the Act could not make a greater mistake than to attempt to force on the community that which may be repugnant to them, by the fact that they have an active organization and can bring to the polls a small minority of the votes of a district, and thus force the Act on the community. They take the initiative, it is not the public who take the initiative. In regard to the question of voting raised by the hon. member for West Middlesex (Mr. Ross), I am willing to support any amendment to the Act whereby duplicate votes shall not be counted and to have the Act thus perfected; but it is unfair to bring people from their homes to vote down a proposition, and if they failed to do so, a minority would be able to force the Act on the community. It was a blemish in the Act from the beginning. We were powerless to change it. The

Act came down from the Upper House cut and dried, and it was accepted by this House. My hon. friend says it has been brought about by slow degrees—that it is not something which has been suddenly forced on the country. I am perfectly willing to admit that a large portion of the community by petition called for this Act. We know perfectly well what petitions are and how they are got up. We know that petitions for a Temperance Act would be such as many men, though opposed to them, would not have the moral courage to refuse to sign; we know that they represent in no sense a majority of the community; but a minority; and it is useless to cite them as evidence of public opinion. They are entitled to just as much credit as they bear when taken in connection with the circumstances to which I have alluded, and they are entitled to no more. The argument of my hon. friend was largely one applicable to the general temperance question. I believe sincerely that the Maine Liquor Law has been a failure in the State of Maine. A revelation was made by the Mayor of Bangor four years ago, which was most damaging to the arguments of my hon. friend, and I have no doubt he has it among his papers. That gentleman stated that he had been the temperance candidate, and that it was as much as his political life was worth to make a true statement on the subject, but he felt his conscience compelled him to do so; and he made a statement which my hon. friend from West Middlesex (Mr. Ross), would not dare to repeat here in reference to the state of temperance in Maine. I say it is in the interest of temperance, in the interest of the effective enforcement of this law itself, that the Bill before the House should pass. I believe it would strengthen the hands of the temperance men more than anything else they could do. I am not arguing in favor of any association; I am entirely free from connection or influence whatever; but I wish to explain why I shall vote in favor of this Bill. I shall vote for it because I conscientiously believe that if this experiment is to be tried, it should be tried in such a way as to have the moral force of the community to back it, and not to be thrust upon us by a minority, however large. In some cases this Act might be carried by one-fourth or even one-tenth of the registered voters. That small minority could force on the community that which was utterly repugnant to it, and we know what the consequence would be. It would be exactly as it was in the State of New York in 1853 or 1854, when a Temperance Act was forced on the community so utterly repugnant to the majority of the community, that when it went into operation on the night of the 3rd of July, everybody purposely violated it, and it became a dead letter and was never enforced at all. I admit that it is desirable, now that this Act is on the Statute-book, that it should be tested; but the gentlemen themselves show that they have no confidence in the weight of their principles, or in their hold on the community, or they would consent to that rough principle—which I do not altogether believe in, but it is a necessity—that the majority should govern. I presume the rule of the majority is the only way by which we can sustain a principle of legislation, whether political or moral. I do not believe it always expresses the intelligent will of the community; but as we have accepted that as the basis of our general system, I am perfectly willing to accept it here; and in any district where a proper majority should wish to carry that Act, I should certainly do my best to further the wishes of that majority. But until the temperance advocates in this House or elsewhere are content upon a question like this, affecting the private rights and the private habits of individuals—a sumptuary law, by which a man compels his neighbor to do that which he may not desire to do—until they are willing, when they force that law on the community, to subject it to the will of a majority, I do not believe they are sincere in their contention that the country wants such an enact-

ment. My hon. friend talked about the election of members of Parliament, and attempted to put the Constitution, by which we hold our legislative powers here, upon the same platform as this Act; and he taunted the hon. member for East York—in very bad taste, I thought—with not sitting here by the votes of a majority of his constituents. Well, the hon. gentleman might look at his own riding—that hon. gentleman, an active temperance man, claiming largely to hold and supplement his political influence through his temperance principles, and through the fact that he is the head of the temperance movement, one of the ablest orators, and one of the best known in his own county, in 1874 was elected by acclamation. What is his record since? That in 1878, of the 4,242 registered voters in West Middlesex, he received 1,635 votes.

Mr. ROSS. Because my hon. friend did not support the Act, he was defeated.

Mr. PLUMB. There was a majority against the hon. gentleman of 2,607. I am using his own argument; it is a two-fold argument which cuts both ways. He was elected by acclamation in 1874; he has been active in getting the Temperance Act placed on the Statute-book since, and when he goes back to the people for election, they do not give him an acclamatory vote, but 1,635 out of 4,242. And the hon. gentleman uses this most irrelevant argument against having a majority for the Scott Act, one of the most important acts ever passed by Parliament, and I should not have referred to it unless he had done so himself. He talks about that being passed by a majority of the people. The hon. gentleman may remember that scarcely a quarter of the members returned to the Parliament of 1878 voted against the Bill. It was passed here by a majority of three to one, and in another House was passed by a majority of two to one. We claimed that a Bill so passed should command respect and disarm opposition by requiring for its adoption a majority also. I trust that after the hon. gentleman's temperance lecture, the House will be true to the position it took last year. I want to see those gentlemen test this Act by a majority of the voters of Canada. Unless the advocates of the Scott Act have a majority, they have no right to force their principles down the throats of those people who do not want them. I believe a stringent license law, strictly enforced, will prevent the deception, the fraud, the secret drunkenness, the unmanly evasions which always result from the stringent legislation which the hon. member wishes to perpetuate. For that reason I now advocate that no law like that should stand on the Statute-book, unless an amendment such as that proposed in the Bill of the hon. member for East York is accepted by Parliament, and I trust, therefore, his Bill will meet the approval of this House.

Mr. BANNERMAN. I was rather surprised to hear the hon. member for West Middlesex enlarge on the morality of the people in the Eastern States. Like missionaries of the same school, he always forgets to state the reverse facts of the case. If he would study the last United States departmental reports, he would see the increase which has taken place in the use of chloral and opium in the five New England States instead of whiskey, and would have had another theme to talk about. Twenty-five years ago there was one grain of opium in use for the one ounce used now in those States, and to-day there are used in those five States two drachms of chloral to the grain that was used four years ago. As for morality, any portion of the Dominion occupies a far higher scale than those States. God forbid that our people should ever sink as low in this regard as theirs has. The hon. member referred to the many eminent men born and reared in the New England States. I have no doubt they were an honor to their country and the Anglo-Saxon race, but we have in this House in the persons of the hon. leaders of both sides and

Mr. PLUMB.

other leading statesmen, men who will compare favorably with those to whom the hon. member referred. The whole trouble in connection with this Bill that my hon. friend has brought in is this: In South and North Renfrew, we got the Dunkin Act passed; the result was that six months after the men who worked the hardest to get the Dunkin Act passed, worked tooth and nail to get the law repealed, because it was a matter of fact. I do not know how it is, whether these people are so grasping or so near; but while we hear charges in their mouths, they keep their hands in their pockets. There is no danger that they will ever pay a cent to make the kettle boil, as the saying is. So far as I am concerned, I am prepared to vote for the Bill, as I think it is only right that a majority of the voters should sign a petition before the whole are asked to vote on this question.

Mr. LONGLEY. I do not see at present that it is necessary to discuss the general question of teetotalism versus drinking, or the prohibitory or permissive principles as applied to the suppression of the traffic in intoxicating liquors. I think we should gain by confining our attention to the issue before the House, namely, should the Scott Act, passed only so late as 1878, be maintained or repealed? We might at the very outset enquire, with advantage, whether the statement of the hon. member for West Middlesex (Mr. Ross) be true or not—that there are but two members of this House who hold their seats by a majority of all the voters in their respective constituencies, the one the hon. leader of this House and the other my witty, honest, hon. friend the member for the Isle of Cape Breton, Mr. Wm. McDonald. Now, from my own investigations and information supplied me, I am assured of the accuracy of this statement. Before I sit down I will show that even the gentlemen elected by the largest majorities, varying from 600 to 900, have not received the majority of all the votes in their respective constituencies. The supporters of this Bill are kind enough to say that they desire the Scott Act should be put into operation in a manner that would ensure its being carried out, when the difficulty would be to get it into operation at all. I ask every fair minded member if, influenced by the excitement of a general election and all the elements that enter into political contests, you cannot get a majority of the voters to come to the polls, how could you expect them to come out to vote for the Scott Act where a great deal of indifference prevails on both sides? You could not expect to get anything like the vote, under the circumstances, obtainable at a general election. I ask every fair-minded member to call to mind when the Scott Act was passed—in 1878—and the fact that scarcely was the law passed when it was pronounced by the Court in New Brunswick to be *ultra vires*, and that for one year every effort to put the Act into operation was stayed so that, as remarked by the member for West Middlesex, the law has only had the chance of a fair trial during the brief period of a single year; yet, forsooth, a motion is made for a change tantamount to a repeal of that law. It cannot be pretended, in the face of the facts, that this Bill was introduced for the purpose of strengthening the Act and promoting the cause of teetotalism. Under some hallucination difficult to conceive of, but which I will not pretend to say, the mover may have worked himself into the frame of mind to believe that. But I fancy he will have great difficulty in persuading this House that the men who have put him forward as their mouthpiece—and which he has been only too willing to become—have any ardent desire to see the cause of teetotalism flourish. I cannot free my mind of the idea that these men are fighting behind beer barrels and brandy pots, and in the interest of the Licensed Victuallers' Association, who, I understand, have become so benevolent of late, as to contribute \$100 to the poor of Toronto, or some other Ontario city, returning about one-tenth, I suppose, of what they had previously taken from the poor, by

selling them beer, brandy and wine. That is where the bulk of the property comes from, both in city and country. You cannot dissociate it from the liquor traffic. I doubt if there is a single member of this House who would take the ground that intoxicating liquors should be sold without any restraint whatever, and if it be true that some restraint upon the traffic is required, we would have simply to inquire what sort of restraint we shall seek to impose upon the traffic, whether we shall license it—and that is an odd way to put down anything—and give it the sanction of the law, or whether we shall adopt the principle of prohibiting the traffic altogether. The present law simply gives the right to a majority of the voters in any county or riding to say whether liquor shall be vended in that particular riding or county, or whether it shall not. We adopt that principle in almost all the relations of life. We allow the majority to rule, and in fact, in a great many instances, we could not help ourselves if we desired to do so ever so much. The Scott Act is nothing unless it receives the endorsement of the people. I contend that the right to restrain the liquor traffic or any immorality involves the right to prohibit. I think that is a sound principle. Now, if in the interests of society restraint is sought to be put on any source of immorality, then there remains simply the question of how far you shall go; and it also becomes a question of whether you shall seek to confine it within certain limits or utterly prohibit it. Prohibition is the more sensible method of dealing with an acknowledged evil, but it is not always competent for the people to accomplish it. Let us inquire if that principle is not adopted in the way of promoting the education of the people. We know that where the assessment principle is applied for the promotion of the purposes of education, that principle is applied against the earnest protest of at least a portion of the voters; but the State, considering that it is responsible for the education of the people, assures that it is better to make a certain proportion of the people, who would otherwise be relieved from any taxation in connection with education, pay than to relieve them, because in that way the education of the people would be first promoted, and what a portion of the people would be unable to accomplish the united force of the whole is able to accomplish in the most satisfactory way. So the State in various stations and relations, and in reference to almost every state of society, imposes more or less restraint, in fact, every member of society is by law put under a certain restraint, and our liberties, as a rule, are curtailed just in proportion as civilization advances. That is capable of demonstration, though I shall not now stop to demonstrate it. Now, I presume that in regard to the Provinces of Ontario and Quebec there is very much less interest felt in the keeping of the Scott Act intact than there is in the Lower Provinces, simply because in Quebec the license system is, I apprehend, preferred, and in Ontario—that is in regard to many of the constituencies, if I am to judge by the opinion of their representatives—there is no very great interest felt in regard to the Scott Act. There may be this said that when the sentiment of the constituencies is opposed to the Scott Act, it is a nullity, it does not go into force; and all we ask is the privilege of adopting the Scott Act when the majority of the people, voting in the ordinary way, say it shall be adopted. Let us deal with this question somewhat hypothetically, and see what will be the result of the principle of the Bill of the hon. member for East York. I will assume, for the purpose of illustrating my argument, that there are 50,000 voters in the Province of Nova Scotia, and I will assume that 41,000 out of the 50,000 come to the polls and vote. Now, the half of the 50,000 is 25,000, and if you add 16,001 votes to the half of the number of votes in Nova Scotia you will find that the 16,001 control the 50,000 votes. I will assume that in the Dominion of Canada there are 400,000 voters, and I will assume that 300,000 of that number

go to the polls and vote. The half of 400,000 is 200,000, so that all you require to make up the 300,000 who go to the polls and vote is just 101,000 votes. Now, I ask every fair-minded man in this House, if that is a proper principle to apply to this Act, or any other Act, where it is so utterly at variance with every principle known to British legislation. I ask the introducer of this Bill to say when that principle has ever been applied to British legislation. The hon. member for West Middlesex (Mr. Ross) has shown what would have been the effect if this principle had been applied to the hon. member for East York (Mr. Boulton) at his last election; he would have been elected to stay at home by a majority of 61 votes. I do not see the hon. member for Niagara (Mr. Plumb) in his place, or I might have said something for his especial benefit. He received just 36 per cent. of the whole number of votes in his riding, and yet he rightfully comes here to discharge his duties as a representative. It is a singular circumstance, but the men who are here by the narrowest majorities in some cases polled the largest percentage of votes, simply because the contest was sharper and pretty much all the voters came out. I will just mention a fact which will go to illustrate the vicious principle which it is sought to introduce into our legislation and apply to the Scott Act. My worthy friend, the late Mr. Oliver, of North Oxford, was here by the overwhelming majority of 903 votes, I think, and yet any hon. gentleman who will take the pains to analyze the vote cast in his riding will find that he lacked just that number of having one-half the votes in his constituency. My hon. friend from Northumberland, who is here by a majority of 691 votes, only polled, I think, 1,760 out of the nearly 6,000 votes in his county. He sits here, not by a majority of the votes of his riding, but by a majority less than one-half the total number of votes by some 400 or 500 votes. Our energetic, popular, and determined friend from Cumberland (Sir Charles Tupper) lacked, I think, twenty or 120 votes of having fifty per cent. of the electors of his county in the last election. With two exceptions, you may go through the House and there is not a single member here by a majority vote. I do not see my popular and worthy friend from Frontenac (Mr. Kirkpatrick) here, but I observed that though he had a majority of 813 votes, he sits here by a vote of only 40 per cent. of the electorate. Now, I think I have said enough to show conclusively the vicious principle of the Bill introduced by my hon. friend from East York. I might present many similar cases. I have a word or two to say with regard to the city of Bangor, where it is said drinking prevails to such an alarming extent. General Dyer, Inspector-General of Militia, said:

"That in his county (Kennebec), with a population of about 39,000, containing three cities and twenty-four towns, the law was enforced; that it was the best law they ever had, and that it materially improved both the moral and social condition of the people, as it reduced crime and poverty. It was a great point to remove the temptation, and he felt confident the vote of the State, if taken, would be against its repeal. He said that yesterday some liquor was secretly brought on to the camp ground, but it was suspected, searched for, seized and destroyed at once."

Althens Lyons (Police Court Recorder) said:

"He had kept the records of the Court during the last eighteen years. In the cities, crime had no doubt increased with the population; but in the country districts it has decreased. He remembered as far back as 1826, when no business could be done without liquor. In Waterville, where he was residing, was conversant with the fact that one merchant in three months sold 300 barrels of rum, and now he doubted if in the same place you could get a glassful."

A great deal is said about sumptuary laws, but we are only asking that intoxicating liquor shall not be sold, in order that the temptation may be taken away from all classes, but especially from that unfortunate class. Talk about the rights of individuals engaged in the liquor traffic. Nothing is said about the rights of the poor victims of the traffic. Nothing is said about the rights of the children who have to go hungry and almost naked in consequence of

the traffic. Nothing is said about the tears that are shed and the woes that the wife suffers in consequence of her husband tarrying late at the tavern and coming home intoxicated. We do not hear anything about that. Yet the men who are engaged in the traffic are responsible for its effects; Nobody asks them to enter into the business; they enter it simply because they can make 400 or 500 per cent. on their capital, and that is why they continue it. They never go into it with a view of promoting the interests or developing the resources of the country. I hold in my hand a work written by the celebrated Wm. B. Carpenter, the author of a prize essay on "The Use and Abuse of Intoxicating Liquors, on Health and Disease," for which a prize of 500 guineas was offered by the late Prince Consort. It cites the testimony of Judge Wrightman, who stated in his address to the Grand Jury at Liverpool, in August, 1846, that "he found, from a perusal of the depositions, that one unfailling cause of four-fifths of these crimes was, as it was in every other calendar, the besetting sin of drunkenness." Judge Alderson, when addressing the Grand Jury in 1844, at the York Assizes, said:

"Another thing he would advert to was that a great proportion of the crimes to be brought forward for their consideration arose from the vice of drunkenness alone; indeed, if they took away from the calendar all those cases with which drunkenness has any connection, they would make the large calendar a very small one."

I have also the testimony of Judge Erskine and others to the same effect. What we simply want to do is to mitigate these woes which are universally acknowledged. We think we can best accomplish that end by keeping intact the Scott Act; and I am free to say that if, after the Scott Act has a fair trial, it is shown to be inefficient and insufficient to accomplish the object arrived at, then I shall be willing to part with the law and seek for a better one. But we do ask for some fairness in our efforts to put down intemperance, which is likely in many cases to flood the land. It is doing more mischief confessedly than all other crimes and evils put together, and in the name of humanity let us try the best remedy that has been devised for the iniquity. I admit that the traffic in intoxicating liquors is one of the most difficult things which men were ever called on to deal with; but it cannot be disputed that there are engaged in the temperance reform, and have been for a quarter of a century back, some of the best elements in society, and it is a significant fact that the vast majority of the clergymen of the various sects and denominations are heartily in favor of the temperance movement, a very large percentage of them being practical abstainers. I hope the vote we shall give on this question will be such as to convey satisfaction, not only to those who have labored to retain the law on the Statute-book, but to the vast number of the friends of temperance who have been watching with intense interest to see whether the members of this House were willing that the law should have a fair trial, or whether they would countenance an insidious attempt to strike it down and render it a nullity.

Mr. BRECKEN. I intend to oppose the amendment proposed to be made to the Temperance Act. One reason I do so is that in Prince Edward Island the registration of electors has been repealed, and there is no way of ascertaining whether or not a majority of the electors in any district have voted for or against the measure. I must further state that the Scott Act has been placed before the people of Prince Edward Island, and a majority of the electors who have voted have voted in favor of it. Whether or not the majority of the people of Prince Edward Island are in favor of it or not I cannot say; but if I were to vote for the Bill, I would be practically voting for the withdrawal of that Act from Prince Edward Island. I have the most profound respect for the motives that influence hon. gentlemen to stand up here and advocate the temperance cause. But

Mr. LONGLEY.

I think the principle involved in the amendment proposed by the hon. member for East York is a sound one, because if the law is to be carried out in its integrity it must have in its favor the general sentiment of the people of the district where it is enacted. While I admire the motion of the hon. gentlemen who advocate temperance, I cannot subscribe to their machinery, where the Scott Act has been placed before the people from a hustings and there adopted, and though hundreds may not have taken the trouble to attend the meeting, it has a prior chance of being carried out honestly. The popular sentiment should be ascertained by the people's votes. Though I am in favor of the principle of this amendment, if I consider that out of respect to the wishes of the people who sent me here, I must vote against it, because there is no legislative machinery in Prince Edward Island to meet the amendment if adopted. I think injustice is inflicted by this Act on a class of people who have embarked their means in a certain class of trade. Take for instance, the brewers and distillers, whose business has been legalized as a source of revenue. It is an extreme injustice to them that this Scott Act should be sprung on them, and their business destroyed. If Prince Edward Island were in the same position as other electoral districts here, I would be prepared to vote for the amendment of my hon. friend, but under the circumstances, I must record my vote against it.

Mr. WHITE (Cardwell). I am the more unwilling to give a silent vote on this question this year than I was last year, from the fact that I know, from the experience of last year, that the position I take on this question is certain to be misrepresented by a portion of the press. Last year when the majority of this House chose to believe that the peculiarity of this measure rendered it necessary that a somewhat exceptional principle should apply to it, we were denounced at once as opponents of the temperance movement. I do not desire here for a moment to parade my temperance principles. That is a matter which concerns myself only. I can only say that in a horror of the drinking habits of society and the evils of intemperance which spring from them, I yield to no hon. gentleman in the House. I believe if every man in the country who professes to be in favor of a prohibitory law would do precisely what I have done, that is become a personal abstainer, we would have a very great reduction in the evils of intemperance in the community. What I feel about the measure is this: We have had experience in Canada of the Dunkin Act. It is quite true that the hon. member for West Middlesex, who is thoroughly familiar with the question, has pointed out a number of features in which this Act differs from the Dunkin Act, and which, it is hoped, will render it much more effective. We have yet to learn, by practical experience, whether that is the case or not. The Act has been passed in some counties. It remains to be seen whether, as the result of its passage, any beneficial effect is derived by those counties. Were I convinced that the passage of the Scott Act anywhere would prevent the evils of intemperance in the country, I would do everything in my power to secure its passage. In fact, so strongly do I feel on this subject that, as I informed the House last year, in any district in which the Dunkin Act was submitted and which the newspaper that I control was supposed to have any influence, I have invariably used all the influence in my power to secure its passage; but the result has been in every case, without a single exception, I believe, that practical experience has led to the repeal of the Dunkin Act even in those counties where the temperance feeling was so strong that the repeal in the first instance was defeated, such as the county of Prince Edward for instance, where, although the repeal in the first instance was defeated by a large majority, yet another year's experience led the people by a large majority to repeal the Act and return to the license system. It seems

to me this measure is one which to succeed at all must have a very strong sentiment in its favor, and that sentiment cannot be presumed upon the mere accident that a majority of the voters who voted on the by-law were in favor of it. If it be true that an overwhelming majority of the people, and that all the clergy are in favor of the Dunkin Act, there can be no difficulty in saying that the majority of those entitled to vote at an election shall affirm their desire for the passage of this Bill before it becomes law. I cannot imagine that in voting for this Bill we are seeking to repeal the Scott Act, unless you admit that public opinion on the subject is pretty evenly divided. We have had statements made by hon. gentlemen opposite, as to the number of votes polled for members of this House. I judge that, taking the average all round, it will be found the successful candidates polled at the last general election about an average of 40 per cent. of the votes in their respective constituencies. Political opinion is very evenly divided in this country. The member for West Durham, I think, speaking on one occasion outside the House, made a very elaborate calculation to show how few votes would change the entire aspect of political opinion in the House. If political opinion is so evenly divided, and that 40 per cent. of the electors have voted for each member, I think we may fairly assume there would be no difficulty in getting a vote to the extent of 50 per cent., provided there was such a strong, overwhelming opinion in favor of this measure as would justify its being enacted at all. That is my argument. Hon. gentlemen who are very strong and earnest temperance advocates—who devote a great deal of their time to the advocacy of temperance principles, and who, from their situation, are constantly in the presence, if I may use the expression, of the evils of intemperance, I can readily understand are willing to resort to any means that may be adopted that seem to offer a prospect of removing those evils. But what I think they fail in is this: they will not remember that the mere placing of a law of this kind on the Statute-book, and its subsequent adoption by a county, does not necessarily produce the results they so much desire. Their whole argument is based on the assumption that the moment the Scott Act is passed, drinking disappears. We know, as a matter of fact, that in Maine, where prohibition has lasted for a great many years, there is a great deal of drinking, that many persons are convicted of drunkenness, and crime has been on the increase, I do not say because of prohibition, but in spite of it. The member for West Middlesex told us, to-night, that he wished the people of this country were as moral, high-toned and intellectual as the people of the New England States. Now, I find an article in a leading organ of public opinion, which I dare say hon. gentlemen opposite will not treat in the sneering way that they have treated any extract from another organ of public opinion cited by the member for East York. I see in to-day's *Globe* an article which deals with this very subject. I will read from it two short extracts to show how unfair it was to assume that the tone of morality in the New England States is higher than the tone in this country. The first is as follows:—

"Benjamin Trumbull, in 1875, mourned that 439 divorces had taken place in Connecticut within a century, and 389 of these within a half century. President Dwight was alarmed at one divorce to every one hundred marriages. But during the fifteen years preceding 1879 the same State averaged 446 annually, and the ratio of divorces to marriages was 1 to 10.4. Vermont granted 94 divorces in 1860, and 197 in 1877; ratio to marriages, 1 in 14. Rhode Island grants about 180 per year; ratio to marriages, 1 in 13. Statistics in New Hampshire and Maine are defective, but the number of divorces in 1870 was 159; in 1878, 241. Fifteen out of sixteen counties in Maine granted 437 divorces in 1878. In four counties for which returns were made in 1880, there was an increase during that year of from 125 to 171, more than one-third."

Then, after a number of extracts and statements in relation to the growth of immorality in the New England States, the article goes on to say:

"The lecturer does not claim that divorce and licentiousness stand to each other strictly in the relation of cause and effect. This is, no doubt,

partly true. But the primary cause of both are common and lie deeper. There can be no doubt that the three classes of evils named—divorce, licentiousness, and the destruction of unborn life—spring from common sources. They all have their roots in wrong and vicious principles wrought into the New England civilization. The love of wealth, ease, display; the cowardly shrinking from the strain of limited means, sturdy toil and simplicity of living are amongst the worst foes of the frugal and virtuous family life. And closely connected with these is the loosening of the restraints of religion upon the minds and consciences of many."

I give those extracts from an editorial in to-day's *Globe* as an offset to the statements of the hon. member for Middlesex as regards the moral condition of the people of New England. I do not, for a moment, say it is due to prohibition, but I do say it exists in spite of prohibition, and that prohibition has not produced that high moral character in the people that the hon. gentleman asserts. But we are told that the principle now proposed, in the Bill, is entirely unheard of. Why, already, we have had cited the action of the Legislature of Ontario, which, in the matter of bonuses to railways, or any other public enterprise, requires an absolute majority of the votes of all entitled to vote. I find, at the last Session of the Quebec Local Legislature, an Act was obtained, I may say as the result of a strong temperance agitation in Montreal—all about which I know, because I took an active part in it in connection with the issuing of licenses in a part of the city which it was thought did not require them—I find that the principle laid down in the cities of Montreal and Quebec was that no license should be granted to any person, if an absolute majority of the voters signified their opposition. The temperance men of Montreal were most gratified with this provision, feeling confident that they could prevent the granting of licenses in places where they did not wish the sale of liquor. We have that principle affirmed in many other ways. It governs our dealings with property and runs through the whole of our legislation in regard to it; in such cases a simple majority of votes is not sufficient; in some cases two-thirds, in others three-fourths of the votes are the proportions insisted upon. In cases of insolvency, for instance, dealing with property, a mere majority does not give a man a discharge; it requires a certain large proportion. Take our railway legislation and the authorization to issue bonds to take precedence of the existing securities, and postpone perhaps a chance of a return for one portion if not its destruction altogether, as a paying investment; in this case there is not simply a majority of the stockholders needed, but two-thirds or three-fourths must vote for such a change. And so, whenever property is affected in any way, this principle runs through the whole of our legislation. That is the principle proposed in this particular case. We have here an attempt to pass a law the effect of which is to destroy the business, whether that business be good or bad, but one up to this time permitted by the law. This law destroys the value of property created in connection with that business, and it is surely not too much to say that there should be such a consensus of public opinion in favor of this law as would be shown by a majority of those actually entitled to vote. I quite admit the Bill is defective in phraseology, and that difficulties might arise in connection with it. But in Committee it could be amended to prevent the occurrence of the difficulties pointed out by the hon. member for West Middlesex. All that is desired by the friends of the Bill is that an actual majority of those entitled to vote should vote on a law like the Scott Act before its enforcement in any locality. And we desire to have that done for this reason, that the experience of the past has shown that the passage of these by-laws has not resulted as their friends anticipated; that they resulted so differently from what they anticipated that they have all been repealed, and we desire that in regard to any new law of this kind that there shall be at least a fair and reasonable prospect of its success. It is the more necessary that that should be the case in regard to the Scott

Act, because once passed the by-law cannot be repealed for three years. Now, this Bill has been adopted in a number of counties, we are told, and there would be an opportunity of testing it in those counties. If it is found to operate successfully, if its effect is proved to be to lessen materially and largely the evils of intemperance, if other places of accommodation spring up in the places of those that existed before, and if the result during the three years is found to be unquestionably beneficial, so much so that at the end of that time those who had voted for it, and others who had not, will be willing to continue it, then it may be adopted in other places, and that experience will be such that there will be no difficulty in getting an entire majority to vote for it. But I do not think it is desirable, in view of the fact, that three years must elapse before the by-law can be repealed, to encourage the general adoption of these by-laws, unless the public sentiment in favor of them is sufficiently great to induce a final majority to vote for them. It is for that reason that I shall vote against the motion for the six months' hoist and for the second reading of the Bill, with the hope that when it goes to Committee the phraseology will be so changed as to avoid the difficulties pointed out by the hon. member for West Middlesex (Mr. Ross), I shall do so, notwithstanding that I know I shall be charged outside of this House with having voted for a measure, the effect of which is to produce intemperance, or at any rate to retard the advancement of temperance principles.

Mr. MILLS. I purpose voting for the six months' hoist. When you look at the provisions of the Bill it is very objectionable, even upon the ground of the abstract principle which the hon. gentleman who moved the Bill, and the hon. gentleman who has just taken his seat, discussed. What object can there be in calling out the electors to record their votes in opposition to a temperance measure, when it is not the number of the votes in opposition to the Bill which are to be counted, but the electors who have not polled their votes in favor of the Bill. It seems to me utterly preposterous to invite the electors to vote against a prohibitory liquor law, or the granting of licenses for the sale of liquors, when you simply count the votes on the voters' list who have not recorded their names in favor of the proposition. I say, therefore, that the Bill is very defective in that particular, and its provisions utterly without meaning. Further than that, when you look at the provisions of the Scott Act you will see that it does not come into force in any particular constituency unless the majority who record their votes do so in support of the proposition. Now, hon. gentlemen have assumed that those who fail to vote in favor of temperance legislation are opposed to legislation of that sort. Now, I do not believe that that assumption is well founded. In my opinion the great majority of those who fail to record their votes are perfectly indifferent. They are willing the experiment shall be tried if a majority of those who vote favor it, and they are willing to permit licenses to be granted if a majority take that particular view. They neither throw their influence in favor of prohibitory legislation, nor do they throw their influence against it. Besides, the hon. gentlemen who are supporting this measure assume, apart from this, that the community have a right to engage in the manufacture of, and traffic in, intoxicating drinks. That is not the fact. Apart from the Temperance Act altogether the great majority of the people never engage in the traffic. They are not permitted to do so. If you look at the ordinary license law of any of the Provinces, you will see that only one tavern is allowed for every 250 inhabitants. Now, what does that mean? Does it not mean that you propose to grant to some one person a privilege by that legislation which you deny to the great majority of the population? The hon. gentleman has said that property under this measure would be rendered valueless, and that we are dealing with this matter in a wholly different way

Mr. WHITE (Cardwell).

from that in which we deal with property in other cases. I do not admit that; nor do I admit that property is at all involved in the manner in which the hon. gentleman has represented. When a license is granted, say for a distillery, it is granted for a single year. The right to engage in the business depends on the license which the person has received, and if you withhold that license the right ceases. It is not a right acquired by the erection of a distillery or by the investment of capital in that particular business, because if the person so engaging in the business did so acquire the right, you would recognize his right to go on from year to year. But you do not do so. In many instances reports are made in which it is stated that the position of the distillery is unfavorable for the exercise of proper supervision over the business, and the renewal of the license may be refused. I know of a case in which that was done. A person invested capital in the erection of a distillery four or five miles from the city of Winnipeg. A license was granted for a year; but at the end of that time he was not allowed to go on, because it was said a proper supervision could not be exercised over the distillery situated where it was. In the working of the ordinary license law, you assume that no one has the right to engage in the sale of intoxicants, and, in order to give that right, you grant a license on the payment of a certain sum. Does not that assume that all those to whom a license is not granted shall not engage in the business, or enjoy the privilege which you grant to others? You have simply a police regulation and nothing more, and the party obtaining the license under that regulation is a person to whom a special privilege is granted, on the payment of a certain sum, and when the period expires for which the license is granted, his right is at an end. That is the case under the license law of Ontario at this moment. In a community, four or five licenses may be granted, under the law, to tavern keepers, and, within the year, some one else may put up another building with better accommodation than some one of the others who has a licensed hotel. Under the law a license is granted to him and denied to some one who held it the previous year. Does he come before the Local Legislature for compensation? Not at all. He took his risks when he engaged in the business, and he is just as much entitled to compensation as any one who would be disqualified from getting a license by the adoption of the Scott Act. Suppose, instead of one person being ruled out in this way, the whole are ruled out under the Act, have they any more right to compensation than the first one? Is it not perfectly obvious that the law is based upon the assumption, altogether apart from the Scott Act, that this is not a business in which the community ought to engage, that it is detrimental to the public interests, and that the Legislature should exercise a controlling influence over it? It is upon that assumption that licenses are issued at all, and the very same line of public policy which will justify you in denying a license to the great majority of the community will justify you in denying the right to the remainder if public opinion will sustain you. Then it comes down to the question how far the public will sustain you in carrying out a policy of prohibition; and it is upon that principle that we proceeded in the Scott Act. Under the provisions of the Statute a majority of those who record their votes must support that Act before it can take effect. It would be more logical to refuse a license unless a majority of those who are voters authorize it by a poll, than to refuse to withhold it without such a vote. The hon. gentleman who moved this Bill said that by this Act we were robbing some persons, that we were not dealing with them in the same way we deal with other persons, that we take away their property by Act of Parliament and apply it to public purposes. But a person does not require a license to build a cotton-mill or to engage in any ordinary manufacturing business. Any one can

engage in an industrial pursuit, but with regard to the manufacture and the sale of intoxicants you undertake to regulate them by a legislative enactment and you license certain parties, upon the payment of a certain sum, to do certain things which you do not permit the majority to do, and their business can only continue so long as the Legislature sees proper to grant licenses in the matter. Now, the hon. gentleman seems to think that there is a great deal of public spirit in a few glasses of whiskey. He told us how much more generously people who drink act in regard to public matters than those who are disposed to support prohibitory legislation. I do not agree with him. In my opinion, it is simply a question of how far public opinion will sustain us. We know that in every town, in every village, in every large municipality, there are a certain number of persons who are supported by poor rates, and we know that in nine cases out of ten these people have been reduced to destitution on account of drink. In a great majority of cases in the towns and cities those who are dependent upon the charities of the population have been brought to that condition by dissipation. If that be the case we have a right to protect ourselves against such a state of things. You do not recognize the right of a man to establish a powder-mill at your door. You do not allow him to create a nuisance, and you seek to protect yourself against the wrong that would be inflicted upon you in this way. When the manufacture and sale of a particular article imposes burdens upon the community, they have a right to protect themselves against those burdens by saying that parties shall not engage in a business which produces those results. A few years ago we refused to certain parties leave to engage in the manufacture of gasoline, or something of that sort, in the vicinity of towns and cities, on the ground that it would be dangerous to the property of others. In precisely the same way we have the right to protect ourselves against the mischiefs that result from drunkenness. The only question the Legislature has to consider is whether the measure on the Statute-book will prove efficient. In my opinion, the measure has not yet had a fair trial, and until it has had a fair trial it would be premature to pronounce against it.

Mr. STRANGE. The hon. members for West Middlesex (Mr. Ross) and Annapolis (Mr. Longley) have given some statistics which I consider to be incorrect. They have asserted that only two hon. gentlemen in this House are entitled to sit here by a majority of the votes in their respective ridings. I have gone over the list as given in the "Parliamentary Companion," and I find that seven hon. gentlemen obtained more than a majority of the votes, viz.: the hon. members for Cape Breton (Messrs. McDonald and McLeod), New Westminster (Mr. McInnes), Quobee County (Mr. Caron), Victoria, B.C. (Mr. DeCosmos), Yarmouth (Mr. Killam), and Muskoka (Mr. Cockburn). In the constituency of Muskoka, represented here by an advanced Liberal, I find the total number of voters to be 1,986, of which the hon. member received 1,259. There must be some peculiarity in the way voting is conducted in that riding, for I find that the unsuccessful candidate received 1,196 votes, also more than one-half the entire number of voters.

Mr. BLAKE. I simply wish to say that while I am of opinion that there is a great deal to be said in favor of the view that to secure an effectual and beneficial enforcement of this law a very strong and also a diffused majority is required, I am equally of opinion that the measure now proposed, although several hon. gentlemen have no doubt with the utmost honesty declared that such is not their view in their support of it, is not merely calculated to give as the benefit of the law in cases in which there is a strong majority in its favor, but is calculated to prevent the law having a chance to become operative at all. I think that

is sufficiently demonstrated by the statistics to which the hon. member for North York (Mr. Strange) has alluded. It is quite clear that the case to which he has drawn particular attention is one in which the "Parliamentary Companion" must be in error, because, as he has properly observed, it is quite impossible that each of the candidates can have polled more than one-half of the total number of registered voters. I do not know whether there are any other errors in the "Parliamentary Companion," nor have I looked at the poll returns to find if the hon. gentleman's statement is correct. But I will assume it to be so, that six or seven out of the 206 members have succeeded in polling one-half of the total number of voters in their constituencies, yet that would not at all prove that we could give practical effect and operation to this law. Now, Sir, I have looked a little at the statistics upon this subject, and I took the trouble to run out the figures of the returns of the hon. gentlemen who during last Session voted for the amendment of the hon. member for East York (Mr. Boulton), which is in the form of a Bill now; and I found that the number of registered voters in the constituencies of those 90 members with respect to whom the statistics could be obtained—for some had been elected by acclamation, and in two cases there was no complete report in the return—was 344,291, of which one-half would be 172,147; but those 90 gentlemen polled 125,344, making a slight deficiency of 46,810, and leaving their poll equal to about 36½ per cent. of the registered voters of their constituencies. The hon. member for Cardwell (Mr. White) said that he assumed it was 40 per cent.—I have shown that it was under that—and that he said was a satisfactory exhibit, because political opinion is very much divided. Well, on the whole, political opinion is very much divided; but there are constituencies, as we know, in which political opinion is very much on one side, and when you find such an average result as I have referred to in 90 constituencies—and I presume that will be the result all round, because that number of constituencies was not taken from one side but from both sides, not from one Province but from all the Provinces—when you find about that rate, coupled with the circumstance that of those 90 members only one had polled a majority of the registered electors, you find that a majority of the registered voters is a thing, under our present system, practically unattainable; and therefore, you are practically, if this Bill passes, placing a barrier not to be passed over to the operation of the law. Now, as regards the 90 constituencies to which I have referred, or as regards all the constituencies at present held by the Conservative party in the Province from which I come—and I ran out the figures with very similar results to those and not one of them had a majority of the whole vote—that though there are many constituencies in which public opinion is overwhelmingly in favor of the Conservative party, yet you do not get out a majority of the number of registered voters in all the excitement of a popular election, even in constituencies where an active campaign is carried on. If there is not, among the 64 or 65 members returned in the Conservative interest in Ontario, a single instance in which a majority of the registered votes has been obtained, will it be fair or reasonable to argue that in those cases these gentlemen returned had not the support, really, of a majority of the voters in their constituencies? We know they had the support almost invariably, however small the majority by which they were returned. There are in many cases a residuum of non-voters, as the hon. member for Bothwell (Mr. Mills) has pointed out, but as a rule the residuum is not of such a character as would have turned the election. There are some cases, but they are exceedingly rare, in which the residuum unpolled was of such a complexion as would have turned the election. The conclusion I draw is, that experience in this country has established that you cannot, no matter how strong the sentiment, get

out, under your present system, a majority of the registered voters; and therefore the hon. member for East York (Mr. Boulton) is proposing, not a means by which this law can be enforced where there is a strong demand for it, but a means by which it can never be placed in operation.

SIR LEONARD TILLEY. I will not occupy the attention of the House during more than a few minutes. In the first place I wish to express my regret that the hon. member for East York (Mr. Boulton) should have thought it proper to use language with effect to the character of the hon. members who are supporting the principle of prohibition or limitation with respect to the liquor traffic in the Dominion. I think it is but right, having been associated for the last twenty or twenty-five years with men who entertained those views, to say that so far as my knowledge goes they compare favorably with the class of men who have differed with us on this important question. They are among the most liberal-minded, and the best educated, and include the clergy of various denominations of the philanthropical and benevolent men. The hon. member for East York would have rendered his measure greater service had he used somewhat different language, I think, in describing the character of the gentlemen in Canada who opposed his Bill. Reference has been made to the State of Maine. It was not perhaps necessary to bring it up; but it has been brought up and statements made with reference to the action on the prohibitory law there and the character of the inhabitants. I cannot understand why, if the effects of a prohibitory law—it may be imperfectly carried out—have been such as described, such a law remains on the Statute-book for 27 years. With respect to the subject under consideration, I am opposed to the Bill, because it is a virtual repeal of the Scott Act. It may be said that when we make that declaration, it is an admission on our part that a majority of the people are not in favor of the Scott Act. We know, however, from past experience, that it is impossible in constituencies, even where there have been strong political contests, to get out a sufficient number of people to record their votes. There is another point which has not been fully brought out during the debate. It has been said that a majority, by their energy and earnestness, may carry the Act against an overwhelming majority. When the framers of the Scott Act prepared the measure they exercised a very wise precaution. Myself and an hon. member know it, because I was in communication with him on the subject of prohibition when out of Parliament. We felt so strongly that it was necessary for the enforcement of this law, in any locality that a majority of the people should be in favor of it, that I was willing that three-fifths of the voters should be required to record their votes for it; and the framers of the Act, in the same view, decided that before the Government could issue a proclamation for the polling, twenty-five per cent. of the whole electors eligible to vote should sign, with their own signatures and attested to by witnesses, a declaration that they are in favor of the vote being taken, and therefore declare themselves in favor of the Act itself. That is a great protection against a verdict being given by a mere minority of the people. Let us recollect that the passage of that Act was the result of agitation for years throughout the country. Thousands and tens of thousands of petitions were laid on the Table of this Parliament in favor of such legislation. The friends of the cause and the moderate men united together and prepared the Scott Act, which became law. It has practically been in operation only a twelvemonth, and what we, who are believers in the principle of the Act, ask, is that it may have a fair trial. I do not hesitate to say that after it has had a fair trial—not after three years during which the Act is in force, but after a twelvemonth—if it is found to have a bad effect, we shall not ask that it be allowed to remain for three years, but we shall go for its repeal. But, after thousands and tens of

Mr. BLAKE,

thousands of petitions have been made in favor of it, after both branches of the Legislature have voted in favor of it, and after it has only had a twelvemonth's trial, I feel that I would not be doing my duty, as a representative in the House of Commons, if I voted for the repeal of the Scott Act, because you would practically repeal it if you required a majority of the ratepayers to come out and record their votes in its favor. You must recollect, in the first place, that the men who favor this measure have no pecuniary interest in the matter. Somebody must travel through a district and obtain the signatures of twenty-five per cent. of the voters. They may be fanatics, and they may be wrong, but they have no special interest in the matter. They have no establishments for the manufacture and sale of water out of which they may make a fortune. They act for the best of motives, and it requires a great sacrifice of time and money to accomplish what they desire. Notwithstanding all the interest they may feel in this matter, I believe there is not one place in twenty where—though a majority of the whole people might be in favor of the Act, and would sign the petition if you took it to them—they could all be induced to travel eight or ten miles to record their votes. Therefore, because I feel that the passage of this Bill would be a practical repeal of the law, and that after all the labor that was given to this matter, and the strong opinion that was expressed by every Province of the Dominion, I feel bound, so far as I am concerned, to record my vote against any proposition that would be a practical repeal until that law has proved itself inoperative for the accomplishment of the object in view, and injurious rather than beneficial to the cause we desire to promote by legislation of this kind.

Mr. ANGLIN. When hon. gentlemen say that if this Bill passes the Scott Act will be virtually repealed, they virtually admit that there is not a large majority of the people of this Dominion in favor of the continuance of that Act. The zeal of those who are active in the temperance cause is such, that if there were anything like a majority, there would be no reason to apprehend any danger to their beloved Act from the passing of this amendment. The number of registered electors throughout this Dominion is, at the outside, but one in every seven or eight of the population, and if the Act is to remain on the Statute-book, it is not, surely, too much to ask that it be so amended that one-half of the sixth or the seventh of the population should be required to vote in favor of the imposition of this Act upon the rest of the population. We should thus be confining the voting to those who are the most intelligent of the people, and who have the largest interest in the welfare of the country. We have seen this law put in force in some districts by a very small portion of the population, and those who have seen its operation are disposed to admit that it is a mistake. For my own part, I am entirely opposed to this law on principle. I do not believe that one portion of any district or country have the right to prescribe to another portion what they shall eat, drink or wear. Nor do I agree with the hon. member for Bothwell, that those who build distilleries or hotels are entitled to do so by virtue of the law. The law is not intended to permit the erection of hotels or distilleries, but it is intended to restrict the natural privilege of people to sell ale, wine, brandy or whiskey, as well as broadcloth or any other article. One of the reasons why these restrictions are imposed is precisely the same as that for imposing similar restrictions on the sale of tobacco, namely, for the purpose of raising a revenue and preventing frauds on the revenue. And the reason was that it was thought desirable to restrict the sale of liquors to prevent abuses which are likely to arise. While we all admit that the excessive use of intoxicating liquors is a very deplorable evil, while we all wish to see this evil

abolished, we ought not to go to the utter extreme and prohibit absolutely the use of liquors which may be used moderately and reasonably, without offence either against the law of God or the law of any country except the State of Maine, and perhaps some districts in this Dominion. To justify such a law as this, it would be necessary not merely to point out the fact that great evils arise from the excessive use of alcoholic liquors, but to prove that the use of alcoholic liquors is an evil in itself. That is sometimes asserted by such extreme teetotalers as the hon. member for Annapolis, but only extreme prohibitionists would agree with that hon. gentleman. We tried the prohibitory law in New Brunswick many years ago, and found then it did not tend to temperance, but to intemperance. During the few months that law was in operation, there was more drunkenness in that Province than before, and the evil effects are felt down to this day. I believe there is more drunkenness in New Brunswick to-day than there would have been had such a law never gone into effect. It may be that the law has been beneficial in some parts, but I do not believe it has anywhere succeeded in preventing those who, unfortunately, have an excessive passion for indulgence of that kind from gratifying that passion. In Fredericton, there seems to be a large number of the population desirous of adopting this measure. But the police magistrate of that city, himself a very zealous prohibitionist, said, a few short months after the law was in operation, that it worked so beneficially as to cause a decrease of one-half of the number of cases before his court. Well, that proves that the one-half gratified their passion for liquor and that there is no difficulty in getting bad liquor, but in getting good liquor. The liquor is sold and will be sold wherever this law goes into operation. I stayed one day in the city of Bangor, where I saw more people under the influence of liquor about the hotels than ever I saw in St. John. I remember having accidentally stumbled into one of the rooms, which I found was a bar-room, with thirty or forty people drinking in it, and, I have no doubt, drinking more freely than if there was no restraint. I object altogether to this measure upon principle, but if it is to be enforced at all, it can only be enforced by a preponderance of public opinion in its favor, and I, therefore, shall vote for the amendment.

Mr. HUNTINGTON. The question is, shall we allow this law to have a fair trial, because, I have no doubt many men voted for it who feared it might not produce all the benefits its advocates expected. Suppose, for example, the temperance advocates, after they had given a little trial to this law, had come before the Parliament and asked the people who did not record their votes in each county should be considered as having voted for them. They might have said, we find it difficult to pass the law because many do not vote, and, as silence gives consent, why not count them as part of our majority? What would the hon. member for East York say to that. Yet he comes here with a proposition equally objectionable from the other side. I will vote this year, as last, with every hope that the Scott Act may be a great success; but even if I believed it to be a failure, I should deem it my duty to give those who attempt to work it out under the authority of Parliament, at least, a fair trial.

Amendment (Mr. Ogden) six months' hoist, carried on the following division:—

YEAS:  
Messieurs

Allison,	Guthrie,	Mills
Bain,	Haddow,	Montplaisir,
Barnard,	Hay,	Muttart,
Béchar,	Hesson,	Ogden,
Bill,	Hilliard,	Olivier,
Blake,	Holton,	Paterson (Brant),

Borden,	Hooper,	Pickard,
Bourassa,	Huntington,	Poupore,
Bourbeau,	Kaulbach,	Rinfret,
Bowell,	King,	Robertson (Shelburne),
Brecken,	Kirkpatrick,	Rogers,
Brown,	Landry,	Ross (Middlesex),
Burpee (St. John),	Lantier,	Rouleau,
Burpee (Sunbury),	Laurier,	Royal,
Cameron (Huron),	Longley,	Rymal,
Cartwright,	Macdonald (King's),	Scott,
Casey,	McDonald (Cape Breton),	Scriver,
Casgrain,	McDonald (Pictou),	Skinner,
Charlton,	McDonald (Vict., N.S.),	Smith,
Colby,	Macdonell (Lanark),	Tellier,
Coupal,	McConville,	Thompson,
Dumont,	McDougall,	Tilley,
Fleming,	McInnes,	Trow,
Fulton,	McIsaac,	Wade,
Gigault,	McRory,	Wheler,
Gillies,	Manson,	White (Renfrew),
Gillmor,	Méthot,	Yeo.—82.
Gunn,		

NAVS:

Messieurs

Abbott,	Elliott,	Mousseau,
Anglin,	Ferguson,	O'Connor,
Arkell,	Gault,	Orton,
Bannerman,	Girouard (Kent),	Ouimet,
Beaty,	Houde,	Patterson (Essex),
Benoit,	Hurteau,	Platt,
Bergeron,	Kilvert,	Plumb,
Boulbee,	Kranz,	Robertson (Hamilton),
Burnham,	Lane,	Routhier,
Cameron (Victoria),	Langevin,	Ryan (Montreal),
Caron,	Macmillan,	Rykert,
Costigan,	McCallum,	Shaw,
Coughlin,	McCuaig,	Strange,
Coursol,	McGreevy,	Valin,
Cuthbert,	McQuade,	Vanasse,
Desaulniers,	Malouin,	Wallace (Norfolk),
Desjardins,	Massue,	White (Cardwell),
Drew,	Merner,	Williams.—54.

#### BILL INTRODUCED.

Mr. MACDOUGALL introduced a Bill (No. 61) to incorporate the Peace River Railroad Company.

Bill read the first time.

House adjourned at 12:30 o'clock, a.m.

#### HOUSE OF COMMONS.

WEDNESDAY, 16th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### BILL INTRODUCED.

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

Bill (No. 62) to amend the Act incorporating the Citizens' Insurance Company of Canada —(Mr. Gault.)

#### TAX ON CANADIAN TOBACCO.

Mr. BOURBEAU enquired, Whether it is the intention of the Government to reduce the tax imposed on Canadian tobacco cultivated for the manufactories?

Mr. MOUSSEAU. It is not the intention of the Government to reduce the tax imposed on Canadian tobacco cultivated for the manufactories.

#### EXCISE DUTY ON CANADIAN TOBACCO.

Mr. MONGENAIS enquired, Whether it is the intention of the Government to abolish the Excise duties imposed on tobacco grown and manufactured by the growers for pur-

poses of trade; if not, whether the Government will so amend the existing law as to relieve tobacco growers from the trouble of applying to the Government in order to obtain the license required in that behalf, and making accounts or returns as required by the law now in force?

Mr. MOUSSEAU. It is not the intention of the Government to abolish the Excise duties imposed on tobacco grown and manufactured by the growers for purposes of trade. In regard to the latter part of the question, the inconvenience complained of will probably be remedied by instructions given to the inspectors.

#### SEINE NETS ON OTTAWA RIVER.

Mr. MONGENAIIS enquired, Whether it is the intention of the Government to abolish the use of seine nets on the Ottawa River, in the section comprised between Carillon and St. Ann?

Mr. POPE (Queen's). I can scarcely say what is the intention of the Government as to the use of seines on the Ottawa River at the place mentioned. I dare say, at certain times, and under certain restrictions, the use of seine nets may be allowed, but information will be asked from the fishery officers in that section of the country, as to whether it is advisable to go that far or not.

#### IRISH IMMIGRATION TO CANADA.

Mr. BLAKE enquired, Whether the Government has received any despatch from the Imperial Government on the subject of Irish or other immigration to the North-West or other parts of Canada; and whether any such despatch will be laid on the Table?

Sir LEONARD TILLEY. There has been no despatch received from the Imperial Government on the subject.

#### VENTILATION OF THE HOUSE.

Sir RICHARD J. CARTWRIGHT. Before the notices are called I desire to direct the attention of the House to a subject which has become one of very considerable moment to us all. I do not remember, in the course of eighteen years experience, ever to have known of so many hon. members having become seriously ill in the discharge of their Parliamentary duties, as those who are now unfortunately debarred from attending the House. I do not think, although it is true that we have had very severe work, that that work has been more severe than the House has undergone on some occasions before Confederation, but perhaps not since; and judging from my own experience I believe that in addition to the late hours, the excitement and the hard work, the real cause of the mischief has been, to a very great extent, the impurity of the atmosphere which we are compelled to breathe. After entering the House I have passed through the corridors and down into the basement, and have been sensible of a very impure atmosphere. Every one who has paid the slightest attention to this question knows that if this condition of the atmosphere is to continue in future, in view of the severe work upon which we are about to enter—for members will have very considerable Committee work in the morning, and we cannot get through the Estimates without a considerable number of late sittings—must admit there is urgent necessity of taking steps, if any can be taken, to guard against the consequence of spending many hours in a very bad atmosphere. I make this suggestion for the consideration of the House, and I think it is desirable that Mr. Speaker should give orders to some thoroughly competent medical practitioner, or any other gentleman in whom he has confidence, to make, without delay, a very close examination of the whole of the basement, drains and air ducts that are supposed to properly

Mr. MONGENAIIS.

ventilate the Chamber. I recollect when a similar examination was made, a few years ago, under the conduct of Senator Brouse, that a state of things was revealed which was quite sufficient to account for the very considerable amount of illness arising from breathing the atmosphere they were breathing, and I respectfully suggest that, without further delay, steps should be taken to make a very thorough examination. I am afraid the practice of having the whole of the basement of this building occupied for various purposes, is the cause of much of the trouble of securing a pure atmosphere in the Chamber and corridors. These buildings are of very great length and in some places of very great depth, and I am afraid it will be a matter of great difficulty to prevent the atmosphere of the lower parts from becoming vitiated, and the atmosphere of the upper portion necessarily suffers. I respectfully beg to call attention to the question which hon. members, called upon to undergo Committee work and consider the Estimates, will find to be a very serious question indeed.

Mr. PLUMB. As I joined my hon. friend from North Norfolk (Mr. Charlton) in making some recommendations about the sanitary affairs of the House, I may venture to say a few words in full accord with what has been said by the hon. member for Centre Huron. There is nothing more difficult to obtain than a system of ventilation which will be perfect in a House like this. The hon. Minister of Public Works has made a great step in advance within the last year or two, in accordance with the suggestions of the hon. member for North Norfolk and myself. I do not think the sanitary condition of the House can be remedied by any such proposal as that made by my hon. friend from Centre Huron, although his proposal is in the right direction. The system by which this House is fed with heated air violates the first principles of ventilation by excluding the fresh air of Heaven, than which there seems to be nothing more cheap or more difficult to get. Every man has a pet project of ventilation which, if employed by the Government, he desires to air. Many things which might be done are left undone. There is a great lack of means by which the carbonic gas that falls to the floor can be removed from the House. If it goes into the basement, as it will if it has an opportunity to go there, it is driven up again by the heated air, and we breathe over and over again vitiated air. When Dr. Brouse took upon himself to examine the means by which this House is fed with fresh air, he found that through the exercise of diabolical ingenuity, the air was brought in by ducts 400 to 600 feet long, in which the air lay for weeks before being admitted into the House, and consequently became stagnant. I have noticed that when steamers are passing along the river, we get their smoke driven up through those ducts from the side of the cliff, and Dr. Brouse said he waded through stagnant water in those ducts a foot and a half deep. The most desirable thing would be to get scientific authority on the subject and have all the sewers examined. It is notorious there is no place where the sewerage is so bad as in Ottawa; every time there is a severe frost they are completely stopped up. I heartily second what has been said by the hon. member for Centre Huron. In the meantime, after the Session is closed at night, there ought to be free circulation of air through the buildings. Hon. members complain that the air in the morning is vitiated with the foul air of the night before. The only way to remove the difficulty is to go to the root of the matter. I have no doubt the hon. member for North Norfolk will be willing to further anything which the House may think desirable in the interest of promoting the health of the members.

Mr. CURRIER. The hon. member for Niagara has stated that the city of Ottawa is the worst drained city in the Dominion. It is well known, on the contrary, that the city of Ottawa is better drained than any city in the Dominion.

Aside from that, however, the sewerage of these buildings is not connected with the sewerage of the city. The drains from these buildings go out to the river, and I do not believe it can be said with truth that the absence of those who are unable to attend the House at present has been caused by the bad ventilation or bad sewerage of these buildings. It is, perhaps, the gas that is generated in this House by the member for Niagara, and others, that hurts us. I believe the atmosphere of this room is as pure as that of any room occupied by so large a number of persons. For my part, on entering it from the outside, I do not experience any disagreeable sensation. In the corridors the air is less pleasant. I believe this Chamber is as well ventilated as any could be. I know the Minister of Public Works has paid a great deal of attention to this matter, and brought about a great improvement in the ventilation since the question was first raised by Dr. Brouse. I think it is a mistake to suppose that the cause of the illness of certain members is the bad ventilation of these buildings.

Mr. PLUMB. I only wish to say that I have heard many of the remarks of the member for Ottawa (Mr. Currier) from him once before, and if I had any memory of having excited his ire on a previous occasion, I probably should have excepted him now from the number of gentlemen who have sensitiveness or smell to discover whether this room or any other part of this House is well ventilated or not. As he has elicited cheers from those gentlemen likely to cheer anything reflecting on me, I congratulate him on his feat. But I still insist that the hon. gentleman may be of those who, though acute in many ways—who may have the sense of hearing and taste, and very capable sight—cannot vouch for their nose. I am not in accord with him in saying that this is one of the best ventilated rooms in Ottawa, and that Ottawa is one of the best drained places in the country. It may be in the neighborhood of his residence, and that those who cross the Rideau have not discovered any foul odors in that neighborhood. It may be that in the lower part of the town there is no foul smell arising from the sewers; but those who are unconscious of those odors are peculiarly constituted. I congratulate the hon. gentleman on his superiority to me and other people in this respect.

Mr. CURRIER. I must confess my hearing is rather acute and sensitive, and that it has often been shocked by the long speeches of the member for Niagara.

Mr. CHARLTON. The importance of having this Chamber properly ventilated can be hardly overestimated. It is a question to which I have given considerable attention. I confess I have suffered somewhat in health for some years past, in consequence of the imperfect ventilation of these buildings. But I do not consider that the ventilation of this Chamber at present is as defective as in former years. Under the supervision of the present Minister of Public Works, important changes for the better have been made in the ventilation of this Chamber. I do not know that it is fair to attribute all the illness of which members complain to the ventilation of this House. It must be borne in mind that when we come to Ottawa our habits of life are, in a great measure, revolutionized. We turn night into day, and those of us accustomed to outdoor lives, are without that amount of exercise we are in the habit of taking, and that itself greatly influences our health. Besides, many members attend entertainments two or three times a week, and often eat heavy dinners, and all these things affect the health. The only wonder is that not more members are sick in consequence of this great change in their habits during the Session. The provision for the ventilation of this Chamber is such as to secure better air than we have. If an attempt is made to bring in fresh air, a protest is instantly made by many hon. members that there are draughts. You cannot have a movement of air without draughts, which keep the air in proper condition

for breathing. If hon. members would bear in mind that draughts of fresh air are less injurious to health than sitting in a stagnant, fetid atmosphere, we can have the air much improved by using our present means and appliances for ventilation. The room where the Public Accounts Committee meets is not one where a person can remain with comfort ten minutes, there being no provision for ventilation. The air of that room, where fifty men often sit for two hours, is enough to make any one sick. The entrance to the air ducts might be examined often and regularly, as they may be letting in impure air. If there is any suggestion with regard to improvement in this direction, let us have it. If this matter could be investigated by a Special Committee, the appointment of one is highly desirable. We could have an abundance of fresh air let into this Chamber, which is practicable, if hon. gentlemen would cease their protests against draughts.

Mr. ORTON. I am glad to see this matter brought up. There can be very little doubt of the truth of what the hon. member for Niagara said, that the House is not ventilated properly. The fact that the air comes in tous every evening from the bed of the Ottawa is sufficient in itself to account for the illness of certain hon. members. We all know that the foul air from Ottawa and Hull must naturally get to the bed of that river, being heavier than pure air, and that in the evening more especially it descends. By the arrangements for the ventilation of this Chamber this impure air from both Ottawa and Hull is drawn into the House nightly. I think the evil could be very easily remedied by building a tower so that we may obtain the fresh air from a higher elevation. The system of ventilation which is practised in the General Hospital in the city of Toronto is the best that I have noticed, and I think it would be well if the engineer who has charge of these buildings would pay a visit to that institution and make himself acquainted with the means there adopted for the purpose of ventilation. I am sure he would be able to obtain information which would be valuable to him, and I know that the surgeon of that institution would be glad to show him around the building and explain the workings of the system, which, by the way, was adopted by the advice of the first medical men of Toronto. The air enters by ducts in the upper part of the room, and aspirators are placed two or three feet above the floor by which the foul air in its natural tendency to descend escapes, and allows the pure air to take its place. Here the cold and the hot air enter by the same channels, so that sometimes we have a current of hot air and then, by way of variety, we have a current of cold air, causing an eddy here and another there, just as are produced to a body of water by the meeting of currents. I think that with very little attention, and not a great deal of expense, these difficulties might be obviated and the ventilation very much improved. But I think what we really require is a radical change—I mean with regard to the position of this Chamber. This part of the building is most unsuitably located; it should, instead of being placed in the very centre of this block, be more exposed both to the air and the rays of the sun, for, as hon. gentlemen know, the admission of sunlight is an important consideration in a question of this kind. I offer a suggestion which, perhaps, may not be received with very much favor by the Government, or by leading members on the other side, but I believe it is one worthy of consideration nevertheless; and that is, that the library, which would be admirably adapted for the purpose, should be used as the Legislative Chamber, and that the present Chamber, with the adjoining corridors, should be transformed into a library. If that is too much to ask them, would it not be well to consider whether a new Chamber ought not to be built at the rear of this building, accessible by air and light, for the purposes of a Legislative Chamber.

Mr. BLAKE. The subject is one which, in view of the state of health of several of our most respected members,

deserves our serious consideration. I think that there is a concurrence of opinion that something ought to be done to improve the condition of this room; and, with reference to the admission of air, I think the hon. member for Centre Wellington (Mr. Orton) has about hit the mark. I think that, first of all, a supply of fresh air should be drawn from a more elevated point than at present, and then it should be brought into the room from above and the vitiated air drawn out below. I think, too, that a great deal more attention should be paid to the ventilation of the corridors and other parts of the building. There should not only be provision for a free admission of fresh air, but there should be a systematic means of drawing away the foul air, and of preventing poisonous draughts from coming up from the basement. I agree with the hon. member for North Norfolk (Mr. Charlton) that the condition of that large Committee Room upstairs, where we have to spend so large a portion of our time for the three months we are here, is simply scandalous, and for my own part I never spend half an hour there without feeling the effects very sensibly for the remainder of the day, and I dare say many other hon. members can testify to the same experience. There is no reason why we should not have an ample supply of fresh air introduced into that room, or why the foul air should not be drawn out effectually. And as I have had occasion to remark before, the stained windows of this Chamber are very pretty, but I could willingly dispense with a portion of their beauty if they had a large pane here and there which could be opened wide to allow of the admission of fresh air, if no more artificial system of ventilation is available. I once heard a remark made by a very eminent architect on this subject. He was asked, with reference to the British House of Commons, after many thousands had been spent in the effort to improve ventilation, what plan he would suggest, and all he could say was: "Break open the windows." We may have to resort to that elementary means of ventilation if we can obtain no other. I should be glad to welcome any plan which would remedy the evil so generally complained of, but meantime there are two things I would abolish. I think we ought to abolish our late sittings in this Chamber, and I think we ought to get rid of the bar down stairs.

Mr. LANGEVIN. The ventilation of this Chamber, as well as of all the buildings here, was provided for when they were erected, and therefore our efforts have only been directed to the improvement of the ventilation which was adopted at that period. Last year we took the opportunity afforded by the late fire, which took place in the upper portion of this Chamber, to improve the ventilation, and I think we succeeded, as several hon. gentlemen acknowledged that we very largely improved the ventilation of the room. But as some hon. gentlemen have observed, whenever there is an attempt to introduce fresh air into this Chamber, both my own colleagues and those who sit directly opposite us come to me and say: "The draughts are terrible; do you want to drive us over to your side of the House by this draught behind us?" That has been said this Session. The atmosphere was very heavy and the air very foul, especially during our long sitting lasting for some seventeen hours or so. Orders were given to try and admit some fresh air, but as soon as those orders were carried out many members came to me and said they would have to leave the House on account of the draught. There is no doubt that there is not in the Dominion a building more difficult to ventilate than this. If we try to ventilate it hon. gentlemen complain, and if we do not ventilate it they complain still more. The whole matter is in the hands of the House, and if it will allow us to bring in fresh air, fresh air can be brought in. But I can promise hon. gentlemen that if we do that, before half an hour is over we will have complaints from hon. gentlemen on both sides, and the hon. gentleman opposite who

Mr. BLAKE.

has now his hat on his head (Sir Richard J. Cartwright) would not be the last to come to me to complain of draughts. On the other hand, I admit that the ventilation is far from perfect. The Railway Committee Room is especially faulty in that respect. It was never built for such a large Committee as now meets there. We must remember, that it was built before Confederation, with no expectation that 120 or 130 members would meet there at a time. However, that room can be ventilated through the windows. We have had experience of ventilation through the windows in the Privy Council Room where fourteen members meet together, and as secrecy is sought to be attained we have to ventilate it by the windows. I admit there is a great deal of force in the remarks that the atmosphere of this Chamber is affected by the bad air that comes from the river. There may be a good deal of that, and I shall immediately call the attention of my officers to that point. Orders have been given to examine frequently the air-ducts, to see that they are kept in good order, yet there may be something defective in connection with them. But hon. gentlemen must remember that we do not live entirely in this Chamber, that we spend a large part of our time outside or in our own lodgings. The hon. member for Ottawa (Mr. Currier) says, that the drainage of this city has been made as perfect as that of any other city, but I must say that quite lately that has not been found to be the case. The air-ducts were found to be closed, and as the foul air had no other means of escape it escaped through the dwelling. My own house is as good as can be found in the city, yet there have been times when I had to complain of the foul air to the City Surveyor, who caused the ducts to be opened. That may be another cause of sickness. However, I do not think, though I am not a medical man, that foul air would produce inflammation of the lungs or diseases of that nature, though it may be a predisposing cause. At all events hon. gentlemen must not attribute all this sickness to the bad ventilation of the House. If the House thinks it well that there should be a Committee of medical men appointed to enquire into the matter, the Government will be most happy to give effect to the recommendations of such a Committee. I shall see my colleagues about the matter, and we may ask Parliament for a reasonable sum of money to meet the expenses of remedying the evils that have been complained of. I hope those hon. gentlemen who are now ill will soon recover, and that no one may have future cause of complaints against the sanitary arrangements of this Chamber.

Mr. LONGLEY. I think enough has been said upon the general subject which has been engaging the attention of the House, and I propose to offer a word or two upon one branch of the subject that relates to the bar in the regions below. I have never yet been able to tell exactly for what purpose that bar has been run, or rather for what purpose it was established. I cannot see upon what principle it is being run, whether it is for the special benefit of the members or of the outside public, for I have observed that it has been patronized pretty liberally this Session by both.

An hon. MEMBER. How do you know?

Mr. LONGLEY. I sometimes have occasion to go down stairs, but always for perfectly legitimate purposes. But when I go below, or wherever I go, I have my eye out to this traffic against which I have always pitted myself, and always expect to. If it has been considered indispensable for getting the ardent liquors below for the special benefit of those who belong to this House, and who may desire it, I cannot conceive that there is any necessity whatever, or that it is at all proper, that the outside public should on certain occasions, and when we sit late at night, be thronging these corridors and be running up and down those stairs, because some of them—and I have

seen them myself—have partaken so freely that they could not stand up without leaning against the side of the wall. I am quite aware that I render myself amenable to the criticisms of some hon. gentlemen when I thus express myself; but I am quite confident that I am in the right, and if I stood alone on the floor of this House, or anywhere else, I would always feel it my duty to raise my voice against these improprieties. I venture to express the hope that the Commission on Internal Economy will attach some importance to the observations which have been made, and lend their aid to bring about a condition of things that would at least bear the semblance of respectability.

**Sir RICHARD J. CARTWRIGHT.** I would just say, in reply to the hon. Minister of Public Works, that I trust that he will not neglect to have a thorough examination made of the drains and the basement. I have a very strong suspicion that a thorough search similar to that made at the instance of Senator Brouse, would reveal a state of things not much better than was discovered then.

**Mr. McINNES.** With respect to the ventilation of this building, I take the liberty of offering two suggestions to the Minister of Public Works—first, that the temperature should be reduced at least five degrees, and, second, that after the House adjourns every window and door that can be, should be thrown open, so that a current of pure, fresh air should permeate into every section of this building and expel the foul air generated while the House is in Session.

**Mr. CHARLTON.** I venture to suggest that, so far as temperature is concerned, that can be secured at any time with the means we have already at our disposal.

**Mr. ROCHESTER.** One great difficulty is that, owing to the position of the boilers, we get the air through them instead of through the ducts, and I would suggest to the Minister of Public Works that these boilers should be closed in, and the foul air from that enclosure removed by means of a shaft. During late night sittings I have frequently experienced a smell similar to that of exhaust steam and of burnt grease from an engine. If the air were forced down from above, which I believe is now done in the English chamber, and which I think could be done here if scientific men were got to do it, it would be a great improvement. I would certainly recommend the appointment of a Committee to investigate this matter, and that the Minister of Public Works should place a sum in the Estimates to put this building in proper order.

**Mr. BANNERMAN.** It is one of the simplest things to ventilate this building, and if the Minister of Public Works would only obtain the services of a colliery engineer, who is in the habit of ventilating coal mines, to start a furnace here, I believe, for a few thousand dollars, we could have first class ventilation on the principle adopted by all large coal mines.

**Mr. CURRIER.** The hon. member for Carleton has suggested that something might be done to remove the foul air from the boilers. The boilers, we know, are out of doors, and what can be better than the draught of the smoke stack, which is 200 feet high and very large inside? Objection has been taken to the way in which the air is brought into the building. It comes from the brow of the hill, about 150 feet above the river, and is brought in to the building through cut stone ducts, which are perfectly clear and smooth; and there is no possibility of the air becoming contaminated in passing through them. Altogether, I think the ventilation of this room is as near perfection as anything can be, although I think something might be done to increase the purity of the air in the corridors surrounding the chamber.

**Mr. BOURBEAU.** Mr. Speaker, I know that the system of ventilation was defective last year, but I am of opinion

that since the repairs were made a great change has taken place, and I do not believe that we could easily get better ventilation than we have. I think that the air in this chamber is quite healthy, and that it would be useless to expend large sums of money on repairs that would give us no better result. If I had a suggestion to make, Sir, to those who complain, it would be to talk less, so as to get through the Session quicker and remain here as short a time as possible. If the hon. members who complain so much did not drag out the debates, we might, perhaps, bring the Session to a close in two months' time, and those who complain, those whose health is not good, could return to the bosoms of their families, and there recuperate. That was the remedy I thought of suggesting, Sir, but I know very well that I shall not succeed, for it is rather difficult to prevent a good many hon. members from prolonging the discussion. But I say again to the hon. Minister of Public Works that it would be perfectly useless to expend large sums of money on repairs in this chamber, which is, in my opinion, in a satisfactory state. Any one who is not unwell before coming here, can certainly go through the Session in good health.

#### CONTRACT BETWEEN DENIS COHOLAN AND THE GOVERNMENT.

**Mr. WELDON** moved for a return of contract between the Government and Denis Coholan, dated January 18th, 1877, with that part of the specification relating to the size and number of scows employed with the dredge operating at the Deep Water Terminus of the Intercolonial Railway, St. John, N.B.; also, the correspondence between the Department of Public Works and the said Denis Coholan, in reference to the termination of the contract, and also all reports and other papers connected with the said contract.

**Mr. ANGLIN.** It is very much to be regretted that the Minister of Railways is not able to be in his seat owing to indisposition, as we should like to have from him the explanation he promised to give of the reason why this contract was cancelled. We, in St. John, believe that the only reason was a political one. This Denis Coholan had been not more active than many others, but had taken an active part in the election after the change of Government, and he was punished for having taken that active part. When an advertisement appeared in the *St. John Sun*, asking for tenders for a new contract, application was made to the department to know why Coholan had been thus dealt with, and the only answer received was that it was found necessary to enter into a new contract, and that there was to be some change made in the number and size of the scows. It is alleged that no change has been made in either of those particulars, and that, therefore, was a mere pretext for the cancellation of the contract. In the contract the Government reserved the right to cancel it, but such right is reserved for the protection of the public interest, and not that one Government or other might be able to punish a contractor who is obnoxious to them politically, even though he had performed his duties well and faithfully. In this case Mr. Coholan asserts that he never gave the Government ground for complaint, that he discharged his duties to the satisfaction of the officers, and that in the reply given him no assertion was made that any conditions of the contract had been violated. Moreover, instead of laying up his vessel for the winter and so save a large expense, he kept her afloat during the whole winter at very considerable expense, for the purpose of carrying out the contract. The work was, however, taken from him and given to other parties, and for no reason but that he had voted and acted on one political side instead of on the other during the election which preceded the cancellation of the contract by a few months. That is the allegation, and we desire very much to hear the explanation which the hon. Minister of Railways seems to think a sufficient and satisfactory answer

to any allegations made by Mr. Coholan and his friends. I hope and trust the Minister will soon be in his place, and when he does so, I think it will be proper in some way to call upon him for the explanation.

Sir LEONARD TILLEY. I can only express my regret that the hon. the Minister of Railways is unable to be in his place; but when he is present he will not be required to be called upon, but will be very happy indeed to furnish all the information in the department in reference to this case. The hon. member for Gloucester (Mr. Anglin) has referred to political influences. It may be supposed from the fact that Mr. Coholan resides, I presume, in my constituency, that if any political influence was exercised, it was, perhaps, at my suggestion. I can only say that, until I saw the notice on the paper, I did not know that Mr. Coholan had had a contract, and that I do not know how he voted. I know nothing whatever of the transaction, and I do not remember hearing his name mentioned before or after my election, and, therefore, the cancellation cannot have been done at my suggestion. Moreover, I would not know Mr. Coholan if I met him on the street. I am quite sure the hon. the Minister of Railways will be exceedingly glad to make a statement on the case when he is in his place, and answer the statement made by the member for Gloucester.

Motion agreed to.

#### DREDGING AT THE INTERCOLONIAL DEEP WATER TERMINUS AT ST. JOHN, N. B.

Mr. WELDON moved for a return of the contracts made since February, 1877, for dredging at the Deep Water Terminus of the Intercolonial Railway, St. John, New Brunswick, with the portion of the specification relating to the size and number of scows employed, and also, the amount paid out since that date for dredging at such terminus. He said: A contract for dredging at the Intercolonial Deep Water Terminus was entered into in 1877. There was a clause in the contract giving the Government the power to terminate it. That, however, was inserted only with the object of protecting the Government if the contractor failed to do his duty; but no charge of that kind was made, but so far as my information goes, when the contractor was ready with his tug to perform the required service new tenders were called for. On application to the Government he was informed that the only reason for cancelling the contract was that they had made a change in the size and number of tugs. When the objection made is on a matter over which he has no control, some compensation should be made to the man so suddenly deprived of his contract.

#### VOLUNTEERS IN NEW BRUNSWICK.

Mr. WELDON moved for a return of the number of men that have withdrawn, left, been discharged, or struck off the rolls in the different battalions of volunteers in the Province of New Brunswick during the years 1878, 1879 and 1880, specifying the number from each battalion, and the causes of such withdrawal, discharge, or removal from the muster rolls.

Mr. CARON said it was impossible to furnish all the information asked for. He could furnish the hon. member with copies of the muster rolls.

Mr. WELDON said that would be sufficient.

Motion agreed to.

#### CLAIMS FOR DRAWBACKS.

Mr. PATERSON (Brant) said: Sometime ago I moved for copies of all regulations made by Orders in Council with reference to the payment of claims presented for drawbacks

Mr. ANGLIN.

on goods manufactured for export. In response to this order, we are furnished with only a partial statement of what I asked for, which necessitates the making another motion which I will place in your hands, and embrace the opportunity which it affords me of calling the attention of the House, and particularly of the Ministry, to a subject that I consider of some importance to the country. I, for one, have always placed a high value on the proper encouragement of the manufactures of this country, and never hesitated to say that, when they can be promoted without unduly pressing upon any interest or section, that that was a wise and prudent policy to adopt. And it is a matter of no little satisfaction to one who, like myself, is engaged in that branch of industry, and, doubtless, to every other hon. gentleman who is a lover of the progress and advancement of the country in all its departments, to know that, young a country as we are, in the progress we have made in our manufactures there has been fair cause for congratulation. I find that there are thirty-two countries to which the manufactures of Canada are exported. Not only are we producing largely for our own wants, but we are shipping our manufactured goods to almost every country upon the globe. They have found their way into Great Britain, United States, Newfoundland, British West Indies, Spanish West Indies, French West Indies, Danish West Indies, British Guiana, Mexico, South America, Havana, France, Germany, Italy, Russia, Turkey, Egypt, Africa, Australia, New Zealand, Sandwich Islands, Denmark, Spain, Hayti, Norway, Canary Islands, Greece, Japan, St. Pierre and Belgium, during the last few years; and it must be a matter of some satisfaction to us, because it proves that we can meet foreign manufacturers in all the countries of the world and sell our productions against theirs. This affords proof, also, that we are in a good position to supply the wants of our own country. The Trade and Navigation Returns, if we had the census, shortly to be taken, would give us the proportion of goods manufactured in Canada to its requirements, when I dare say we should be startled to find how large the proportion of many classes of goods is that are already made in this country. I have always been a consistent advocate, not only by speech but vote, of the promotion of our industries in a legitimate way—and I might say to the Finance Minister, who exclaims "hear, hear," perhaps somewhat ironically—that during all the time I have had the honor of a seat in this House I have uniformly supported a tariff that gave protection to our manufacturers, and that, during the five years of the late Administration, I supported its tariff which beyond doubt afforded a fairer amount of protection to the great bulk of our manufactures than that introduced by the hon. gentleman himself. I have no hesitancy in making that statement, and I have figures that will enable me to prove the assertion. I speak from a practical knowledge of it and from the statistics furnished by the public records themselves. From the arguments of supporters of the Government we should naturally have expected that our manufactures would have been nearly extinct prior to the advent of the present Administration and the adoption of the existing tariff; or we might have looked for, under this policy, what it was supposed and designed specially to produce, wondrous results to the country in increased prosperity in every branch of industry in this Canada of ours. But what are the facts? I shall confine myself to matters which are pertinent to the motion, and endeavor to point out to the Finance Minister and the Minister of Customs that the exports of the manufactures of this country are decreasing to an alarming extent. And I shall furnish the figures to prove my statement from the official documents which those hon. gentlemen themselves have put in our hands. I shall show that this policy under which we are living at the present time, a policy which it was claimed would permanently benefit

our manufactures, has almost wiped out the exportation of manufactures from this country. I shall make a comparison between the exports for the year 1878, the last year of a 17½ per cent. tariff, under the Mackenzie Administration, and the year 1880, when the National Policy tariff, ranging from 25 to 60 per cent., was in full operation—a tariff which, contrary to all sound principles of protection, imposes duties on raw materials, and thus militates against the success of many of our leading branches of manufacture. Take first agricultural implements, one of the largest of our industries, at any rate in one of the Provinces of the Dominion. In 1878 we were not only able to supply the wants of the country, for there was scarcely any importation at all, but we exported \$86,001 worth; in 1880 we exported only \$59,128 worth, a decrease of \$26,873, or, in other words, in two short years we have wiped out about one-third of our agricultural implement industry. If the same rate of decrease is kept up for four more years the export trade in these articles will be entirely wiped out. Biscuits is the next item: we exported of these in 1878, \$29,986 worth, and in 1880, \$20,063, a decrease of \$9,923, or over one-third. Of candles, we exported, in 1878, \$14,790; in 1880, \$4,574, a decrease of \$10,216, or nearly three-fourths. Of carriages, we exported, in 1878, \$58,409; in 1880, \$40,480, a decrease of \$17,929, or nearly one-third. Four years more at that rate our export trade in that article will have disappeared. Of clothing we exported, in 1878, \$24,754; in 1880, \$8,742, a decrease of \$16,012, or nearly two-thirds. Of confectionery, we exported, in 1878, \$723 worth—a small amount, but small as it was, it was increasing, but under the National Policy it shrank to \$85 worth, or nearly nine-tenths of a decrease. Of cordage, ropes and twine we exported, in 1878, \$21,076 worth; in 1880, \$14,084 worth, a decrease of \$6,992, or nearly one-third. Of drugs and medicines, we exported, in 1878, \$5,991 worth, and in 1880, only \$98 worth, a decrease of nine-tenths. If that rate is maintained for two short months the export trade of that industry will disappear altogether. Of extract of hemlock bark (prepared), we exported \$187,840 in 1878, and \$171,808 in 1880, a decrease of \$16,032, or one-twelfth. Of furs, we exported, in 1878, \$6,197, and in 1880, \$4,469, a decrease of \$1,728, or nearly one-fourth. Of ground gypsum, we exported in 1878, \$22,527, and in 1880, only \$3,925, a decrease of \$18,602, or nearly two-thirds. Of hats and caps, there were exported in 1878, \$572, and in 1880 only \$400 worth, a decrease of \$172, or nearly one-third. Of Indian bark-work, in 1878 we exported \$843, and in 1880 we exported none, so that already that industry has been wiped out. Of hardware iron there was exported in 1878, \$102,983 worth, and in 1880, \$92,588, a decrease of \$10,395, or about one-tenth. Of jewellery and plated ware, we exported in 1878, \$70 worth; in 1880 only \$9, a decrease of \$61, or nine-tenths. Of sole and upper leather, we exported in 1878, \$563,221 worth; in 1880, \$408,708, a decrease of \$154,513, or about one-fourth. In six years at the same rate the export of those articles will have stopped altogether. Of harness and saddlery, we exported in 1878, \$3,405; in 1880, \$3,314, a decrease of \$91, or about one-fortieth. Of other leather, we exported in 1878, \$18,806; in 1880, \$8,357, a decrease of \$10,449, or, in other words, one-half that export has been wiped out in two years. One-half of our exports of that item has been wiped out in two years, and in two years more, at that ratio of decrease, that item of exports would disappear altogether. Then we come to boots and shoes, the item that created so much concern a few years ago, that item of which there was only \$200,000 worth imported, while there was \$17,000,000 worth made in the country during the late Administration—what has been the effect of the tariff introduced by those hon. gentlemen upon that industry? Why, in 1878, after supplying \$17,000,000 or \$20,000,000 worth to our own people, we were able to export to other countries \$236,345 worth.

But what have we been able to export during the past year? Only \$165,147 worth, a decrease of \$71,198, a decrease of nearly one-third in that item in two years. In four years more, at the same ratio of decrease, that item is wiped out altogether from the list of exports. In lime, in 1878, the exports were \$8,301; in 1880, \$8,047, a decrease of about one-fortieth. In ale, beer, and cider, in 1878 the exports were \$32,283; in 1880, \$18,952, a decrease of \$13,331, or over two-fifths. In spirits, exclusive of whiskey, the exports in 1878 were \$135,908; in 1880, \$12,034, a decrease of \$123,974, or nine-tenths. I now come to machinery, another large branch of industry in this country, that has shops scattered throughout the Dominion in every important town, that embraces as many skilled laborers, perhaps, as are employed in any other branch of industry. What has been the effect of the tariff upon that particular industry? In 1878 the exports of machinery amounted to \$77,482; in 1880 they shrank to \$47,193; a decrease of \$30,289, or two-fifths. Then we come to musical instruments, other than pianos and organs—for there has been an increase in the exports of pianos and organs—and we find that while in 1878, the exports amounted to \$1,466, in 1880 they amounted to only \$470, a decrease of \$996, or nearly three-fourths. Oil cakes, exports in 1878, \$76,697; in 1880, \$21,819, a decrease of \$54,878, or over two-thirds. A simple calculation will show us that, at the same rate of decrease, another year will have wiped out that item of export altogether. Sails, in 1878 the exports were \$846; in 1880, \$689, a decrease of \$157, or nearly one-sixth. Sewing machines—this is another important industry that gives employ to a great amount of skilled labor, an industry that was in a thriving condition before the present occupancy of the Treasury benches had the slightest hope of obtaining the position they occupy—what has been the effect of the tariff upon that industry? In 1878 we were enabled to export \$273,258; while in 1880 the exports were only \$201,545, a decrease of \$71,713, or one-fourth in two years. Then we come to an item that interests my friends from the Maritime Provinces, and that ought to interest my hon. friend the Finance Minister—the item of ships sold to other countries, a prominent industry among the mechanics and artizan classes of those provinces. What has been the effect of this tariff introduced under the plea of benefitting these artizans? The figures furnished by the Finance Minister himself tell the tale of the effect that has been produced. In 1878 this item amounted to \$1,218,145; last year it was \$464,327, a decrease of \$753,818 in one year, or two-thirds of a decrease of the exports of ships sold to other countries in two years. Another year of the like rate of decrease and ships sold to other countries will be a thing unknown in the Maritime Provinces, and the artizans will have to turn their attention to some other branch of industry. Coming from ships to soap, we were enabled to export of the latter article in 1878, \$8,629; in 1880, \$4,498, a decrease of \$4,131, or one-half. Wrought stone in 1878, \$13,154; in 1880, \$6,811, a decrease of \$6,343, or nearly one-half. In tobacco stems and cutting, in 1878, \$15,941; in 1880, \$7,701, a decrease of \$8,240, or over one-half. Other tobacco, in 1878, \$63,852; in 1880, \$28,141, a decrease of \$35,711, or over one-half. Vinegar, in 1878, \$335; in 1880, \$181, a decrease of \$154, or nearly one-half. Doors, sashes, and blinds, in 1878, \$36,777; in 1880, \$22,742, a decrease of \$14,035, or over one-third. Woollens—that industry that we intended to promote and protect so much, that industry that would have, furnished, if all the promises of hon. gentlemen opposite had been kept, all the clothing worn by the people of this country at the present time, and would have enabled us to send exports to foreign countries—what has been the effect of the tariff upon that industry? The figures are not very much in either year, but they will do for purposes of comparison. In 1878 we were enabled to export of woollens,

\$33,897; in 1880 we exported \$32,687, a decrease of \$1,210, or over one-thirtieth. That speaks a good deal for an industry that was sought to be protected to such an extent that the Finance Minister doubled the amount of duty upon it, while at the same time he let raw materials come in free, which he did not do in many other cases. The totals of the exports of these thirty-five articles are, in 1878, \$3,374,609, and in 1880, \$1,883,584, a decrease in two years of \$1,485,025, or over two-fifths. If we go on at the same rate, in about four or five years more we shall have wiped out entirely the exports of these thirty-five important industries. Some of them are small—let hon. gentlemen not console themselves with that thought. Let me ask them if, in the industries I have mentioned, in which our exports have decreased to such an extent, the great bulk of the important industries of this country are not included. I ask them if they do not include the industries which furnish employment to more than one-half of the artisans in this country? I go further; I ask them if the boot and shoe industry, the agricultural implement industry, the woollen industry, the ship building industry, and the other industries I have mentioned, do not give employment to three-fourths of the skilled labor of this country? I venture the statement that they do, and I defy hon. gentlemen opposite to contradict it. My object is not to make an attack on the tariff at the present time.

Sir LEONARD TILLEY. Hear, hear.

Mr. PATERSON. I am sorry that I cannot give plain figures without their amounting to an attack on the tariff, as is evidenced by the hon. Finance Minister's "hear hear." But that is not my fault. My object is to point out a remedy that I think ought to be applied in order to improve, if possible, our export trade, if the present tariff is to be continued in force. But before doing that, hon. gentlemen will agree with me that it is only right and proper—having mentioned these industries which have been crippled, having mentioned the exports which have decreased—that I should now mention the exports which have increased. Instead of there being thirty-five articles in which there is an increase, I find that there are only twenty-four. I will run over them as rapidly as possible:

Articles.	1878.	1880.	Increase.
Books .....	\$ 23,813	\$ 30,961	\$ 7,648
Cottons .....	2,371	4,170	1,799
Glass, Glassware and Earthen-ware .....	2,189	6,070	3,881
Grindstones .....	42,812	45,008	2,194
India Rubber .....	2,081	2,897	816
Iron, Castings .....	12,124	22,229	10,105
Iron, Pig .....	10,102	7,023	62,011
Iron, Scrap .....	37,836	205,134	167,298
Junk and Oakum .....	17,528	34,939	17,411
Whiskey .....	1,041	3,230	2,239
Wine, in wood .....	68	178	110
Organs .....	17,834	28,855	11,021
Pianos .....	2,775	7,995	5,220
Oil .....	18	1,818	1,800
Rags .....	14,611	49,291	34,683
Starch .....	194	31,650	31,456
Steel Manufactures .....	32,618	78,481	45,833
Straw .....		949	949
Glucose .....		1,265	1,265
Sugar .....		17	17
Cigars .....	1,217	4,657	3,440
Furniture .....	73,890	118,961	39,071
Other Wood .....	192,526	268,025	75,509
Other Articles .....	280,038	334,199	74,161
<b>Totals .....</b>	<b>753,096</b>	<b>1,363,033</b>	<b>599,937</b>

From this total increase in these twenty-four articles of export of \$599,937, I think the hon. gentleman will not  
Mr. PATERSON (Brant).

deny that I am fairly entitled to deduct the iron scrap increase, amounting to \$167,298. That iron scrap is produced in the ordinary course of labor of men employed in machine shops. It is simply the gathering together of all the pieces of iron that cannot be utilized for any purpose. Why it is classed under this head of manufactures I cannot say, but at any rate the labor used in that is the labor employed in the machine shops in which there is a decrease of exports. There is no skilled labor, at any rate, required in the production of rags. We might fairly be entitled to take that from the list. While there are other items that I might deduct, it will be found that deducting these two items from the increased exports, or deducting \$201,981, would leave a net increase of \$397,956. We have, in other words, 22 articles of manufacture, the exports of which in two years have been increased by \$397,956; while, in 35 articles, embracing three-fourths of our industries that employ skilled labor, we have a decrease of \$1,485,025. Taking the total export of manufactured goods, what do we find? The total exports in 1878 were \$1,127,155, and in 1880, \$3,242,617, or a total decrease of \$885,138. Very little figuring will show the hon. Finance Minister that, taking that test, we have an actual decrease in our exports of manufactured goods in two years of one-fifth. In eight years more, at the same rate, our exports of manufactured goods would be entirely wiped out. As I said before, my object is not to attack the tariff; but it will be remembered that it was pointed out to hon. gentleman opposite that the tariff they introduced was not a scientific one, that it was copied in a large measure from the United States tariff, and from that fact must, of necessity, work injury to our country, because the situation and resources of the two countries are altogether dissimilar in many respects. The United States comprise within their territory almost every clime; they can grow cotton and sugar in the south, tobacco for plug in the northern and southern States, and tobacco for cigars in the New England States; they have vast mineral deposits and coal beds necessary to the proper development of their manufacturing power. Having no regard to the dissimilar circumstances of the two countries, it is not to be wondered at that the results I have described should follow. To tax iron and coal, raw material not produced, and which cannot be produced here for many years, must necessarily, instead of benefitting manufacturers, do them great injury. But the hon. Finance Minister said he had a remedy, and his remedy was to give manufacturers a drawback on the material that entered into their manufactures equal to the amount of duty on it. That system of drawbacks has not been carried out, and the result is seen in the disastrous figures I have quoted.

Mr. BOWELL. In what particular has it not been carried out?

Mr. PATERSON. I am coming to that. I am glad the hon. Minister is paying attention to me, and if I do him an injustice I shall be glad to remedy it. I assure him, also, that when I make this statement I make no special attack on his department. I am not given to flatter any man, but I will say that I believe there is administrative ability enough in his department to carry out the remedy that I think I can point out, if he will only be able to prevail on his colleagues to apply it. Until we can get some capable man from this side of the House to administer the affairs of that department, there is no man I would rather see administer it than the hon. gentleman now at its head. Let no hon. gentleman think we are discussing an unimportant subject when discussing our export trade in manufactured goods. I am an advocate of Canadians supplying their own wants; but after all the source of a country's wealth is its capability of producing more than it requires, so that a surplus will be

had for export in exchange for the gold of other nations. No tariff can interfere with the export of animals and other products, agricultural products and the products of the forest, except to injure that trade. The export trade of manufactured goods of this country in 1878, as I have said, had reached this enormous amount of \$4,127,755. Why, the total product of our mines in 1878 amounted only to \$2,869,303. The exports of manufactured goods was nearly double the exports of the products of the mines, and were thus a source of wealth to our country. In 1880 the products of the mines were \$2,981,613. They have increased, while our exports of manufactured goods have decreased nearly \$1,000,000. This product of the fisheries, about which we boast so much as a great industry and great source of wealth, brought into the country in 1878, \$6,929,366. So that our manufactured exports in 1878, though not a source of so much wealth to the country as the products of our valuable fisheries, produced in fact two-thirds as much. Therefore, when we talk about encouraging and developing the export trade of our manufactured goods, we are not speaking of an insignificant interest, but about that which is a source of wealth, and, relatively, a greater source of it than some of those other great industries of the country, approaching to within one-quarter almost the most important industry we have. Then, if I am enabled to point out how those manufacturing industries are placed at a disadvantage with reference to the export trade, the House will agree with me that if any steps can be devised by which it would be relieved, that great good would thereby be accomplished. Now, I devote myself to answering a question that has been asked by the Minister of Customs. I have this return brought down by him in response to my inquiry, and which professes to be an account of all the drawback paid on all the manufactured goods exported. What does it show? A total of 203 claims presented for drawback on the tin used in the making of lobster cans, and which claims were allowed amounting in the aggregate, in the twenty-one months covered by the return, leaving out the cents, to \$12,998. Then, there was allowed by way of drawback on four different claims, to the Edwardsburg Starch Company, \$634 on corn used in the manufacture of starch exported to foreign countries; and there is an item of \$275 for drawback to gentlemen in Stratford on oats used in the making of oatmeal, and \$550 to others in Stratford on the export of oil cake made from imported linseed. There is also an item of \$49 paid as drawback to the Dominion Barbed Wire Company, for wire used for fences; and one of \$34 for tin used in canning meat; and on five claims of different manufactures of pilot bread from flour, \$8.36 was allowed in drawbacks. The total amount of drawbacks paid by the Government in the twenty-one months, ending December 16th, 1880, was \$15,379. As lobsters do not appear among the manufactured goods exported, they are to be found under the head of "products of the fisheries." We must take the drawback allowed on the cans from that return. Now, deducting from this total of \$15,379, the drawback allowed on those lobster cans, namely, \$12,998, we find the total amount paid by way of drawbacks was but \$2,380; and part of this amount is allowed on oats used in making oatmeal, which does not appear among our manufactured goods, but among our agricultural exports. This sum of \$2,380 is all that is allowed to compensate all our manufacturers who have exported goods to foreign countries to the amount of between \$6,000,000 and \$7,000,000. We now can readily see why the export of manufactured goods dropped out. We knew our manufacturers were heavily loaded. Iron formerly admitted free is heavily taxed, and the same is true of coal and boiler-plate, which is not made in this country and may never be. Tubing is not made in Canada, and I fear never will be, because the total demand in Canada would not keep in existence a single factory, and it, too, is heavily taxed as well as all the materials of

the manufactured articles; and yet as this total export of between \$6,000,000 and \$7,000,000 of manufactured goods, on which the present tariff has levied such enormous burdens, there has been paid in drawbacks only \$2,380. Our manufacturers entered into business in good faith, and the export trade was in good condition before the present Government harrassed it by their tariff. Our goods had penetrated thirty different countries, and were making rapid progress; but our manufactures now show signs of languishing, and the reason is that they have been hampered and harrassed by duties on the materials, which we were told would be returned by way of drawbacks. There is in my own city one of the finest manufacturing establishments in the Dominion, and one of the most enterprising firms, which was engaged in the export trade years ago. They have their mills running in Germany, Russia and every Province in the Dominion, as well as in Chili, in South America. They have now ready a shipment for Chili, to follow previous shipments, another for Australia, and one for Prussia, and that establishment has been burdened by the duties on boiler-plates, and tubes entering into boilers, and on the iron and saw-teeth, and coal, used in its operations. This establishment, has already made ten different shipments for foreign countries, aggregating \$27,000, which will bring back wealth to our country. The firm tell me their export trade is badly crippled. They have to work on a close margin in competition with the men who enter the markets of Europe, Chili and other countries, and have to hold their own with all rivals in the markets of the world. They have hard work to compete against the goods of Great Britain and the United States, which have free coal and iron, and which manufacture such articles as iron, saw-teeth, and so forth, that have to be imported by Canadians. With all these difficulties to contend with, the margin for Canadian goods seems sufficiently small. The amount of the drawback they claimed would not be allowed, though they paid strict attention to the details of the amount of taxation upon the articles which entered into the construction of their machines though they kept closely within the mark, because the regulations made by the department with reference to the payment of draw-backs are of such a nature that it is impossible for an honest man to make the affidavit which is required. That is the reason, Sir, why I put this motion in your hands. In my previous motion I covered the ground which I intended to cover, but, unfortunately, I asked for "regulations of the department," so with the red-tape which characterizes every department, a memorandum was added to the return stating that there were no regulations made in the department, but that the matter was regulated by Orders in Council, and therefore I am obliged to make the present motion. If I had the information which I ask in my hands at the present time I would be able to point out more intelligently than I can without it the difficulties which exist with regard to this system of drawbacks, and to show what is necessary to enable us to carry on this export trade. But I have quoted fairly the figures which are given in the blue book, I have pointed out the effect of the remedy which was proposed for the evils to which hon. gentlemen know our export trade would be exposed, and I can assure hon. gentlemen that the regulations they have imposed, or the Orders in Council they have passed, are such that the honest manufacturer cannot avail themselves of these drawback. I have shown from the figures I quoted, that instead of our exports amounting to \$4,000,000 as they did a few years ago, the figures show that at the present rate of decrease our export trade in manufactured goods will soon be wiped out altogether, and that all we can look to as a means of developing our manufactures and enlarging their market, will be the natural increase of our own population. I trust that the subject which seems to me to be one of great

magnitude will receive the attention of the Minister of Finance and the Minister of Customs.

Sir LEONARD TILLEY. I have only to say that the hon. gentleman has made in advance a statement which I might have reasonably expected after making my Budget speech, and I can only say that having put me in possession of his views, I shall take the opportunity of answering them at the proper time, and I trust that I shall be able to answer them to the satisfaction of the House.

Mr. BOWELL. It is not my intention to enter upon a discussion of the subject with which the hon. member for Brant (Mr. Paterson) has dealt during the last hour and a half. I think that probably the best answer to all his arguments with reference to the exports of the country, will be found in a short paragraph on page six of the Trade and Navigation Returns, in which the Commissioner points out the important fact, that for the first time in the history of this country since Confederation, the exports have exceeded the imports by \$1,421,711, and that they exceed also the value of the goods entered for consumption by \$16,129,109.

Mr. PATERSON (Brant). I spoke of the exports of manufactured goods, that is what we should consider.

Mr. BOWELL. Yes; the hon. gentleman has selected twenty or thirty different articles, and has made out a very good case for the Government in showing that our home market, which was formerly supplied by foreign countries, is now occupied by our own manufacturers. I will not, however, discuss the general question at the present moment. I merely rise for the purpose of pointing out the fact that, in a speech of one and a half hours duration, the hon. gentleman made only one point, and that was with reference to the drawback refused by the department to the Waterous Manufacturing Company, which does business in the city in which the hon. member resides. Had he questioned me upon that matter, I would have told him why the drawback was refused. The hon. gentleman said that the promise made by the Finance Minister was that drawbacks should be paid to manufacturers upon the duty they paid on raw materials used in their manufactures. When I tell the House that the articles upon which this company demanded drawbacks were not only raw materials, but, to a large extent, manufactured articles—articles complete in themselves, purchased in the United States and brought into this country to be used in the portable saw mills and other machinery which they make—hon. members will at once understand that no promise was made by the hon. the Finance Minister or any other member of the Cabinet which was intended to cover such imports as these. The policy adopted by the Government is to allow a drawback of the duty paid upon the raw material used in the manufactories of Canada. Upon evidence being produced that the article upon which a drawback of duty paid is asked, was imported and that it was used in the manufacture of an article which had been exported, the duty has invariably been refunded to the manufacturer. In regard to the case in question, I may say that not a single document has yet been produced upon which a drawback could be paid, from the simple fact that the importation made by the Waterous Company included saws, screws, and a number of other articles which are complete in themselves, and upon the manufacture of which no additional labor was required after they were brought into the country. That is a simple, and I trust a satisfactory reply to the complaint which the hon. gentleman has made. The regulations made by the Government in reference to the affidavits which have to be made simply cover the facts that importation was made, that the duty was paid, that the imported material went into the manufacture of some article which it

Mr. PATERSON (Brant).

was proposed to export, and that exportation has been made. Upon such an affidavit being made, whether the article produced be a Waterous saw mill, or a tin can for preserving lobsters, the money is at once paid over. In reference to the question of ships which the hon. gentleman has mentioned, I can assure him that there has been no complaint whatever. I have the testimony of an hon. gentleman on his own side of the House that the system which has gone into operation has given the utmost satisfaction to the shipbuilders of Nova Scotia and New Brunswick; that there has not been the slightest complaint made in reference to the payment of the drawback; for within a day after the proper papers are sent to the department, the drawback is ordered to be made.

Mr. MILLS moved the adjournment of the debate.

Motion agreed to.

#### MOTIONS FOR RETURNS.

The following motions for returns were severally agreed to:—

Correspondence with the Hudson's Bay Company, or any person acting in its behalf, with reference to the south-east quarter and the north half of Section 7, Township 17, Range 20, west of the 1st principal meridian, and for all papers, Orders in Council, &c., respecting the granting of the said land to the company; in lieu of other land alleged to be occupied by settlers.—(Mr. Drew.)

Return of the accounts of stock taken in the stores or shops of the Intercolonial Railway at Moncton during the years 1879 and 1880, and also a return of any differences between amount of stock taken and that in the stock ledger during these years.—(Mr. Weldor.)

#### PRIVATE BILLS.

The following Bills were considered in Committee, reported, read the third time and passed:—

Bill (No. 8) to reduce the Capital Stock of the Exchange Bank of Canada, and otherwise to amend the Act respecting said Bank.—(Mr. Desjardins.)

Bill (No. 36) further to amend the Act incorporating the Canada Guarantee Company.—(Mr. Gault.)

The following Bills were read the second time:—

Bill (No. 59) to incorporate "The Moncton Harbor Improvement Company."—(Sir Albert J. Smith.)

Bill (No. 60) to incorporate the Don River Improvement Company.—(Mr. Platt.)

House adjourned at 6:15 o'clock, p.m.

#### HOUSE OF COMMONS.

THURSDAY, 17th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### MAILS BETWEEN CANADA AND WEST INDIES.

Mr. GAULT enquired, Whether the Government have made, or are they making, mail arrangements between Canada and the Spanish West India Islands, with a Clyde steamship company, sailing under the Spanish flag.

Sir LEONARD TILLEY. No arrangement has been made and no negotiations are going on at the present time between the Government and a Clyde steamship company, sailing under the Spanish flag.

## LOCK No. 2, ON WELLAND CANAL.

Mr. RYKERT enquired, Whether it is the intention of the Government to appropriate any money towards the enlargement of Lock No. 2, on the Welland Canal, in accordance with the petition of the Corporation of the city of St. Catharines?

Mr. LANGEVIN. In the absence of my colleague, the hon. the Minister of Railways, I may say it is the intention of the Government to act in accordance with the representations made to them.

## COURT OF RAILWAY COMMISSIONERS.

House resumed the adjourned debate on the proposed motion of Mr. McCarthy for the second reading of Bill (No. 12) for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879, and the motion of Mr. McCuaig in amendment thereto

Mr. McLENNAN. I believe that the Bill of my hon. friend from Simcoe (Mr. McCarthy) is one of very great importance, not so much from its immediate urgency as from the fact that it is travelling in the right direction, and that it is dealing with the subject of railway management in a form in which it certainly must be dealt with before a very long time. Nobody who has had any experience, or has made any observation of the methods of railway management, can fail to understand that constant difficulties will arise in the management of traffic, that must be dealt with by some competent tribunal other than the managers of railways, controlling the relations of the public in their own hands. This is a very simple matter to state, and so long as railway managers, from the highest general manager down to the least subordinate, are only human, this fact must remain as it is. Well, the experience that has been had in England, as has been so well described by the hon. gentleman who introduced the Bill, has, I think, clearly established the fact that, in order to deal with this question it is necessary to have some special tribunal—that it is impossible for the individual carrying and owning a parcel of freight, or having any other business of a limited nature with a railway company, to follow up a case through all the ordinary courts of law, with any prospect of an immediate or fair solution of his difficulties. The cure for this difficulty, in England, as we have understood, has been the establishment of a Railway Commission, in which those questions are dealt with by practical business men, aided by counsel learned in law, and forming together a mixed tribunal which has been able to deal with those questions in a manner, apparently, to meet the public requirements. Of course, we are very differently situated in this country, in our railway operations and in the extent of those corporations, from the people of England. In England there is a great concentration of railway interests within a very small compass, and sufficient employment is given to this important Commission within a range of ground that is easy for them to cover, and every requirement in that respect, of a competent tribunal that does not cost too much for its work, is met. In this country, on the other hand, the railway interests up to the present are comparatively few, and at present very widespread. A Railway Commission in this country would have to deal with questions arising—at least I should hope they very soon would have to deal—upon scattered railways all the way from the Atlantic to the Pacific. It is just a question in my mind whether we are quite prepared for a Railway Commission of the character and importance of that which exists in England, and which has been recommended by my hon. friend from Simcoe. Then, again, some powers are placed in the hands of the Railway Committee of the Government that would have to deal with some of the questions that

would naturally fall under the judgment of the Railway Commission. I think, in view of the situation, that we have rightly arrived at this point; that the question is one that will have to be dealt with, after a little more deliberation and information than we have at the present moment. A question arises as to whether we are quite prepared, at this moment, for a Railway Commission of the proportions of the one proposed, and I think this is a matter that will have to be dealt with by a Select Committee, with the assistance, of course, of the Government. There is another important point to which attention has been called already, and which, I think, will have to be considered in this connection, and that is, the relation of railway corporations in this country to the railways in the United States, and the division of traffic, involving very grave questions that come up in the determination of bills of charges, upon which so many questions of difficulty arise. This is the main question that I think would have to be dealt with by a Special Committee. My hon. friend who introduced this Bill may, with the consent of the Government, be referred to a Special Committee that may have power to hear evidence and obtain information, so that the whole subject may be judiciously dealt with, and that every interest concerned may be properly heard. For this reason I desire very much that the Bill should be read a second time. I am quite opposed to the motion for a six months' hoist.

Mr. MACDOUGALL. I am of opinion that it is desirable, where a matter of so much importance to the whole country is brought under the notice of the House, by an hon. gentleman who has, evidently, given a great deal of attention to the subject, and who has prepared a measure which must have required a good deal of care and attention on his part and the examination of many authorities, and the example, so far as it is applicable to Canada, of the Mother Country, that that measure ought not to be dealt with so summarily as it would seem, from the disposition of the House, it is likely to be dealt with. I must confess that I have not been able to bring my mind satisfactorily to the conclusion that the time has arrived in this country when a special tribunal with such very large powers as are proposed should be created. I think it is not expedient to legislate in the direction of this Bill unless a clear case of necessity exists, unless it is evident that the existing tribunals and machinery applicable to cases of this kind are clearly proved to be inadequate to the attainment of the object in view—namely, the settlement of disputes between railways, or between railways and the community at large, or between railways and municipalities or individuals. I do not think the evidence is sufficiently conclusive that the existing machinery provided for purposes of this kind is not capable of dealing with those disputes which have hitherto arisen and which are likely to arise. There is a disinclination, not only in this House but in the country, to the multiplication of tribunals and the increase of the machinery which is to be carried on at the expense of the general community. I am not prepared, from my own experience, to say that the existing tribunals and machinery have proved inadequate to that duty. I believe that, between the courts of law, the Committee of Council and this House, we have all the necessary powers and means of information to reach and overcome any evil that may spring out of the operations of the railway companies in this country. It does seem to me that, instead of constituting a new tribunal, it would be quite possible for the Government—it would be quite possible to charge some of the existing Courts of the country with these duties, which appear to be rather out of the reach of a Committee of the Executive Council. I think our Supreme Court might be charged with the duty of inquiring into a certain class of cases, and of pronouncing upon them, perhaps, not in the way of a judicial decision or a judgment of a Court of law, but in the way of a report which could be acted upon or not, as might

be determined upon by the Government of the country, or by that Committee which is appointed under the General Railway Act, and by which that decision might be carried out. There might also be afforded an opportunity to the railway company, against whom the report was made, a re-hearing or a re-argument of the case, before the Committee of the Council, with all the advantage of evidence obtained under the supervision and direction of a Judge of one of the Superior Courts. I was myself concerned as counsel in a railway case, which subsequently came before this House, and I had then an opportunity of witnessing the working of a system, which is now the law of the country. Arguments were heard before four members of the Privy Council. They sat for two days, and after an adjournment of two weeks two sittings more were held. These gentlemen listened with great attention to the evidence and arguments of counsel, they examined maps, and in every way appeared desirous of doing their duty in the premises. They are men of large experience, as most men are who succeed by one means or other in obtaining seats in the Executive Council of the country; one or two of them were lawyers. But it did seem to me that if they had been able to give undivided attention to the case; if they could have examined the case with the care and the deliberation which a separate tribunal could have devoted to it, in every other respect they were quite as competent to arrive at a decision which would be satisfactory to litigants as the Commission which my hon. friend contemplates by this Bill. There would be a difficulty in this country in finding men who, from their position and antecedents, and with means and leisure at their disposal, would be such as I would regard as suitable men to constitute a tribunal, with such great powers as would be entrusted to a Railway Commission under the measure of my hon. friend. In England, as we will all agree, there is no such difficulty. You have there a great many men of great experience in affairs, men of fortune and leisure, men anxious to distinguish themselves before the country by the diligence with which they inquire into and deliver their decisions on public matters, men who would not be liable to be charged either by the public or the railway companies with being influenced by sinister motives in giving their judgments in favor of one party or the other. Such a class of men can easily be had in a country like England; but looking about me I confess that if I were charged with the duty of selecting the proper men for a Railway Commission here, I should have very great difficulty in finding such men as the hon. gentleman evidently contemplates in the measure he has brought to the attention of the House. I say that it would be a matter of very great difficulty to any Government to choose in this country men whose judgments in the important matters which would be referred to them, would be entirely free from the suspicion on the part of one party or the other, that they were influenced by other considerations than the public interest, or the abstract principles of justice applicable in such cases. It might be that we could find men who would discharge their duties just as thoroughly and impartially as in any other country, but you could not persuade the public or the railway companies, respectively, that in a judgment given against them some improper influence had not been brought to bear upon any men, one can think of, as likely to aspire to such an office as is proposed in the Bill. That is the difficulty which would meet my hon. friend at the outset; but if the question becomes a judicial question in any proper sense; if the tribunal is to determine the application of the law, whether the evidence is applicable to the case or not; whether the law has been infringed, or whether it should be put in force in a particular case, then I do not think we could have any better tribunal than the Superior Court. As we all know, this Court has a double character; it is not

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only a Supreme Court but an Exchequer Court. In the Exchequer Court a single Judge sits and takes evidence, hears arguments, and gives a decision which, however, is more in the nature of a report, because it is subject to appeal, and in the most important cases no doubt appeals take place, and the decisions are reviewed and determined in the full Court. If we look at the territorial extent and circumstances of this country; at the character of our railway corporations, some of them incorporated by the Provincial and some by the Dominion Government—though, for my own part, I am of opinion and have often expressed that opinion, that it was not the intention of the framers of the Confederation Act to give the Provinces power to incorporate railway companies at all, this Parliament has recognized their right to do so in various Acts—we have a state of things existing which, whether legal or constitutional, is not now of so much importance, for if any question of law were raised and the Court should determine that my view is right, it would be necessary for the Parliament to enact a general law, giving all the rights and powers which it is assumed have been given by these Provincial Acts. But as it is now, with these distinct creations deriving their authority from different parliamentary bodies, subject to the local law in one case and to the general law in the other, it seems to me a little irregular to compel the former to seek justice from the latter. It will certainly be objected to on the first occasion in which the local law comes into conflict with this Dominion tribunal in dealing with cases of that kind. For these and other reasons, it seems to me that the time has not arrived, the necessities are not sufficiently clear, the facts do not justify the creation of a distinct and new tribunal to deal with the class of questions which my hon. friend has described in his Bill. I believe that some change will have to be made. I believe that either some addition must be made to this Committee of the Privy Council, or some change with regard to the members who shall compose it. I will mention one instance which will throw some light on the question, and which occurred in the case I referred to. It happened that the pressure of public business did not enable the gentlemen who heard the first argument to hear the second. Other members of the Council were substituted for one or two of these—in fact, only two gentlemen heard the arguments throughout the whole case. That, of course, was a very serious objection to the tribunal itself. The lawyers and the engineers could not go over the same case whenever a new member joined the Court: it turned out that they were not called upon to render any positive and binding judgment; it was only in the nature of a recommendation. Yet if that had been necessary; if the nature of the case had required that there should be a decision which would operate in the nature of a judgment and bind the parties finally, it is clear that a very strong objection would have been taken to the constitution of the Court which had rendered a decision without having heard all the arguments and read all the evidence. I thought then that there was a capital objection to the constitution of the tribunal in the point to which I have referred. In reference to the question of amendment, I think it is very proper that question should be considered, and it might be well to consider it upon this Bill. If this were referred to a Select Committee of leading members of this House to take into consideration the whole question and ascertain what evils have presented themselves, and what remedies, in addition to those which now exist, can be devised consistently with existing interests, we might arrive at some useful result. But we must remember that public opinion is at present opposed to the creation of new and expensive tribunals unnecessarily, and we must remember that these corporations have acquired certain powers, and have invested large sums of money under the law as it now exists, under the laws which we have passed

in this Parliament, and it does seem to me that they may justly complain of the creation of a new tribunal as is provided for in this Bill, which is not only to interpret those laws, but which shall have power to modify or change them, for this is practically what it amounts to. In the case of the English Commission, one instance occurs to my mind of the great power which was exercised and of the consequences of its exercise. Under the powers which were given to that Commission by the English law, the Commission were called upon to deal with a case that occurred in the town of Hastings, where it was alleged there was insufficient railway accommodation for the traffic of that locality. It was alleged by the people that the station-house and buildings were inadequate to accommodate the large number of people assembling in them during rainy days, and were obliged to seek shelter in neighboring buildings. Petitions were got up to the Railway Commission, calling upon them under the authority of the Act, which gave them power to determine questions of reasonable or inadequate facilities, to compel the company to furnish reasonable facilities. The Commission directed the railway company to furnish additional facilities and to increase the size of their buildings, involving an expenditure of some £15,000 or £20,000. The railway company objected. They said: "These facilities we have are sufficient for the traffic, and we have not the means to meet the expense that will be imposed upon us without borrowing money and doing injustice to our shareholders." Various legal difficulties presented themselves. The question came before the courts of law; and the late Lord Chief Justice Cockburn decided that this award of the Commission was *ultra vires*, that they had gone beyond their powers—not technically, but on general reasoning. He said he could not imagine that Parliament intended to invest this Commission with power to direct a railway company to make changes of so extensive a character in its own property, upon a mere complaint that existing arrangements were not sufficient. My hon. friend has no doubt read of that case, and in his Bill he might have guarded against any possible assumption of power of the character I have described. We can easily imagine that other cases, perhaps not quite so palpably *ultra vires* as this, would arise in this new Court, acting in the public interest, acting honestly and fairly, directing nothing that would not be promotive of the public interests, but whose decisions would result unfavorably and cause great expense to the railway companies, and they might well say that Parliament was not dealing fairly with their shareholders who had invested their money in these corporations in Canada, by creating a new tribunal with extraordinary powers—not to interpret the law, but to order those railway companies to do things which would involve great expenditure at the whim of parties thinking themselves aggrieved, although the decision might be arrived at after hearing evidence as to what, in the public interest, should be done. That may be taking a step in a direction which circumstances in this country do not warrant at this moment. We are seeking abroad for capital to construct our railways; we have constantly before us in the House questions as to how far we should go in the public interest on the one side, and how far we should restrain these corporations on the other. I think, so far as my observation extends, we have always had the feeling that it was undesirable, in view of the circumstances to which I have alluded, to throw any unnecessary obstacles in the way of the employment of foreign capital in the construction of our great public works in this country—that we should, as far as possible, afford facilities and securities to those who will invest their money in a distant country. In this Parliament, matters affecting the railways can be freely discussed; in the Committees, parties interested can appear and present their case, and they have always this advantage: that if they can show that any

legislation is injurious to them, and is likely to deter capitalists from investing their money, they are able to avert it. But before a Commission of three persons, appointed to office during good behavior, I suppose, and free from those influences and considerations that operate on members of Parliament, and who feel as most such persons do, that they must magnify their position—and I apprehend that they would do it in some cases, perhaps, a little too strongly for the interests of the railway corporations—we can see what difficulties might arise. I can see many ways in which I think an injurious effect might be felt by the capitalists of our own and other countries, if a tribunal having such large powers as this should be erected. If it were to operate only on future investments of capital, it could be answered that capitalists would in the future invest their capital with a full knowledge of the character of the law. But my hon. friend intends to make his Act retroactive, and to apply it to all railways alike. I am not quite sure whether this Parliament can constitute a new tribunal—not a Court of law, and if it were, that Court could only deal with Dominion matters—with authority to pronounce upon and give directions to Provincial railways in the matters to which I have alluded. The question, at all events, appears to me to be surrounded with sufficient doubt, and to be one of sufficient magnitude, to make the House cautious in dealing with a Bill of this kind, and I would, therefore, recommend to my hon. friend to content himself with taking a Committee, before which the whole question can be discussed, and then, if not this Bill, perhaps some more limited amendment to the existing law could be submitted as a result of the investigation.

Mr. IVES moved the adjournment of the debate.

Motion agreed to.

#### POCKMOUCHE POST OFFICE.

House resumed the adjourned debate on the proposed motion of Mr. Anglin for an Order of the House for correspondence respecting the closing of two post offices in the parish of Pockmouche, County of Gloucester, N. B.

Mr. O'CONNOR. When the hon. member for Gloucester moved this motion, he made certain statements accusing the Post Office Department of having tried to injure him in his county. As I happened to be at the head of the department at the time, I cannot allow the statement to pass uncontradicted. It has been the policy of the Post Office Department, for several years, to reduce the number of post offices where the business was not sufficient to justify their existence, and that policy has been strenuously applied during the last two or three and even four years. On enquiry, it turns out that there were in this parish of Pockmouche three post offices forming, when connected with lines, an equilateral triangle within about three miles of each other. Last year, in the month of August, it was represented to the department that the Pockmouche post office might be moved a little and placed near the chapel, in the centre of the parish, and near the telegraph office, and that the other post offices might be abolished altogether. In the year before, the revenue from these post offices, was from Upper Pockmouche \$47.09; from Lower Pockmouche, fifty cents; and from Pockmouche itself, \$16.90; making for the three offices \$63.49. The salaries were \$131.50, and there was an allowance for forwarding duties of \$50, making a deficit of \$17.51. I have here a sketch of the three offices, and they form, when connected by a line, an equilateral triangle. At the suggestion made to the department, the Inspector for the Province of New Brunswick was called on to examine and make a report, and he did report, not only that it was reasonable that an adjustment should be made, but that Lower Pockmouche post office should be abolished altogether.

The result of it was the post office was placed in the centre, within the base of the triangle, and close to the chapel and telegraph office. The Inspector in his report said he thought so many post offices in Pockmouche entirely unnecessary. There are, he said, Pockmouche, Upper Pockmouche and Lower Pockmouche, where only one Pockmouche is necessary. He recommended that the suggestion made should be carried out, and one office placed in the centre near to the chapel and telegraph office, instead of the other three. The matter was a departmental one. I do not think any person complained of any injustice. I knew nothing of it, nor did the officers to my knowledge. The changes were made entirely in the public interest, and were departmental, not otherwise.

Mr. ANGLIN. The statement of the hon. ex-Postmaster-General would be something disingenuous if I could imagine he knew all the facts. The distributing office was moved from the place where I believe it ought to be still, to another district, and I presume an additional amount is paid to the postmaster in that district for the additional duties imposed on him, so in that respect there is no economy. The hon. Minister says representations were made to the department. He does not say by whom; he does not say they were made by officers of the department. With reference to the Inspector, the representations were made so as to make the change which he knew was desired by those managing the affair. That same Inspector formerly reported in favor of the establishment of that second post-office, and of its being made a distributing centre. His report in this particular transaction has, therefore, no special value. The lower Pockmouche office was in existence for a great many years. It fell into disuse. The gentleman who was postmaster removed to another place, and I think it was not carefully attended to afterwards. While the hon. gentleman seems to think a distance of three miles a very small distance, the people there thought it so considerable a distance that they built a second church, and the post office which the hon. gentleman abolished was close to the church. If the revenue of the office was small, it was because it was not properly attended to. What I claim is, that an office situated close to the main river should have been maintained, because it was most convenient for the service of the very large population living up the river. I contended that the office might well have been moved further towards the other post Tracadie, because there it would have been more convenient for the very large settlement in that part of the country. But from the post office nearest to Tracadie, until you reach Cardigan now a distance of twenty miles, there is but this one post office, whereas, formerly, there were two, and I do not think two at all too many in a section so fairly populated. These representations made to the postmaster were not made in a friendly spirit to me, or out of regard to the public interest. I am sorry the hon. gentleman was led, as he says, unintentionally into so bad a transaction. What the people complain of is the diminution of the post office accommodation they had enjoyed for years, and to which they believe they are entitled.

Mr. O'CONNOR. I was led into it in the usual way, on the report of the Inspector. It is evident that the hon. gentleman wants to have a grievance. I will allow him to have it.

Mr. ANGLIN. The hon. gentleman says the change was made on the representation of the Inspector.

Mr. O'CONNOR. I said the matter was referred to him for report, and he reported as I have said.

Motion agreed to.

#### WRONGS TO CHILDREN.

Mr. RICHEY, in moving the second reading of Bill (No. 47) to prevent and punish wrongs to Children, said: The real aim of this measure is, I think, one which

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must command universal assent. It is the protection of a class of the community whose wrongs can be no longer ignored by legislative authority. The first clause of this Bill may be regarded in a four-fold aspect. It deals with acrobatic feats and others affecting injuriously the health or dangerous to the life or limbs of children. It also deals with their being employed for indecent or immoral purposes, and there is another branch which refers to what may be termed fraudulent purposes. Another evil that comes, perhaps, not under any one of these classes, affects their physical and moral wellbeing. The first clause, then, refers to the employment of children as gymnasts, contortionists, riders or acrobats in any place whatever. This perhaps is an evil, the exigency of providing against which may not have been as yet so seriously felt in this country as in some other countries; but when I find in other countries that the Legislatures are waking up to the necessity of stopping it, and especially that the country situated on our own borders has legislated in this direction, I feel it becomes us to be ourselves awakened to the evil and to follow the example which our neighbors have set us. I need not, I am sure, use any arguments to impress on the minds of this House the necessity in every possible way of restraining the inducements which are offered to children to dedicate themselves to those purposes which are of themselves immoral; nor need I endeavor to set forth the necessity of putting down by every means in our power the evils of vagrancy as they stare us in the face day by day. The only portion of this clause to which I may anticipate that any objections will be offered is that which deals with the employment of children in connection with singing or musical entertainments. I find that in the United States, in the State of New York particularly, a clause almost the same as I have introduced here was passed some years ago. If any hon. gentleman who is interested in the subject will turn to the revised Statutes of New York, he will find that the restraints which are here intended to be imposed, were introduced as against the employment of children under the age of sixteen years, where singing or playing on instruments occurred in the streets. That was found to be insufficient to compass the object in view, and in 1876, the Legislature of New York passed the Act from which this clause is taken *verbatim*. Referring to the laws of New York for the year 1876, Chap. 122, hon. gentlemen will find in the main, the provisions of this Bill which is now submitted for the consideration of this House. The first clause is almost word for word the same. The laws of Illinois and of Ohio, as found in the revised Statutes for 1880 of those States, have incorporated provisions to the same effect. In England, in 1879, an Act for a similar purpose was passed, 42 and 43 Vic., Chap. 34, "An Act to regulate the employment of children in places of amusement." It provides penalties against those who may cause any children under the age of fourteen years to take part in any public entertainment or performance, when, in the opinion of a Court of summary jurisdiction, the life or limbs of such children may be endangered; and any parent or guardian, or any person having care of such children, will severally be guilty of an offence against the Act, and on summary conviction be liable to a penalty not exceeding £10. The second clause of the Bill renders it unlawful to receive children for the purposes of such instruction and for such purposes as are mentioned in the first section of the Bill. That also is taken from the laws to which I have just referred,—the laws of New York, Ohio and Illinois. An incorporated company exists in some States for the protection of children. I had expected to have received a full digest of the laws on this subject, but it has not come to hand, and I did not think it desirable to delay the furtherance of this measure by waiting for it, although I was anxious to submit a digest to the House. The third clause provides that no minors under the age of 16 years shall be

admitted to any place where liquors are sold, or to dance houses, or billiard rooms, unless accompanied by their parents or guardians. I am quite sure I will carry with me, as regards this section of the Bill, the prevailing opinion of the House, respecting the evils which are consequent on giving permission to children of tender years to enter those places where liquors are sold. I regret to say, not only giving them permission to enter such places, but we know that too frequently they are sent there by persons whose duty it is to restrain them from all evils. I believe the passage of this section of the Bill will conduce very largely to the accomplishment of the object which many of my hon. friends have in view outside of the other purposes of the Bill I have mentioned. In the fourth section we have provided a penalty on parents and others having the custody of children who wilfully permit the life or health of children to be endangered; and by the fifth section all persons who are guilty of aiding and abetting offenses against the Act are made amenable to the same punishment as the principal offenders. The punishment provided by this measure is not equal to that found in the laws to which I have referred. I have inserted in the Bill a provision that the penalty shall not exceed \$100, nor be less than \$20, with the alternative of imprisonment for a term not exceeding 90 days nor less than 30 days. In New York the penalty provided is from \$50 to \$250, or imprisonment from 30 days to a year; and by the law of 1876 the offence is declared to be a misdemeanor. By the laws of Illinois, the first offence is punishable by a penalty not exceeding \$100, or three months' imprisonment, or both, at the discretion of the magistrate; and for the second offence, a penalty not exceeding \$500, or imprisonment in the penitentiary, not exceeding two years. By the laws of Ohio, the penalty is one not exceeding \$200, or not more than six months' imprisonment. The 8th clause, which provides for the manner in which prosecutions shall be carried on, is in conformity with our general laws and the English enactment. The provision in the 9th clause:

"Whenever any person is charged with an offence against this Act in respect of a child who, in the opinion of the Court trying the case, is apparently of the age alleged by the informant, it shall lie on the person charged to prove that the child is not of that age."

Is manifestly necessary in cases of this kind. If the burden rested upon the informant of proving the child's age, the case might often as well be given up. This provision is taken from the English Act. Provision is made as to the fines, penalties and forfeitures, where the prosecution has been instituted by a Society incorporated for the prevention of cruelty to children, or to animals, that they shall inure to the Society in aid of those purposes for which it was incorporated. If such prosecutions are to be carried forward, we may rest assured they will need the assistance of such societies as are in existence for the prevention of cruelty, and which have been productive of so much good. As yet I believe we have not, in the compass of this Dominion, any society incorporated specially for the protection of children; and, therefore, it is a duty incumbent upon all of us who take an interest in the other societies with humane objects, to co-operate in this matter. I think it would be as well to incorporate these societies under a more general name. Clause 11, possibly, some gentlemen may be disposed to question upon the ground whether it really falls within the legislative powers of the Dominion Parliament or the purview of the provisions referring to the Local Legislatures, as it may be supposed to deal with civil rights. We must look at this clause, however, as founded on the criminal acts, and as empowering a magistrate, for the benefit of a child, to commit to a place of safety and training. I have thus simply referred to the general clauses of the Bill, and to the motives by which I have been actuated in bringing it before the House, and to the analogous laws in other countries; and I feel assured that I will not appeal in vain to this House to

endorse, by its action, the measure recommended. We have not, perhaps, in regard to some of those particular acts which are brought within the scope of this measure, experienced so large an amount of the evils as elsewhere. But I may advert to the fact that, last winter, when I had a similar Bill before this House, even after it was noticed in the public prints, we saw an advertisement that was intended to be exceedingly captivating of performances by children of a tender age. Now, such children are not so trained without subjecting them to influences exceedingly detrimental not only to their physical but moral well being. The contortions and gymnastic exercises by which such children are trained, and the tortures to which they are subjected are known to be injurious; and this proves it would be well for us to legislate in the direction proposed. My desire is to have the Bill referred to Committee, where any amendments desirable to render the measure more perfect can be made, and the co-operation of my friends in effecting which will give me great satisfaction.

Mr. HOUDE. Though I approve of the general character of this Bill, I think it ought to be modified in some respects before it is adopted by the House. In my opinion it deals with a question which properly comes within the purview of the Provincial Legislatures, rather than of the Federal Parliament. It proposes to deal with the case of children who are in charge of their parents, and, if I am not mistaken, that is purely a question of civil rights, and therefore one which should be dealt with by the Local Legislatures. Though, as my hon. friend from Halifax (Mr. Richey) says, some of the matters which the Bill deals with may be matters of a criminal nature, yet as they are only misdemeanors and not felonies, I do not think they are within the province of this Parliament. At all events, I beg to call the attention of the Minister of Justice to the point I have taken. I may say that I would with great pleasure support such a measure, if it were introduced elsewhere, but it seems to me to tend in a direction which is pregnant with danger, and that is the interference by the Federal Parliament in matters which belong to the Provincial Legislatures.

Mr. PLUMB. I do not think the Bill is open to the objection which has been taken by the hon. gentleman who last addressed the House; and I think we should all feel indebted to the member for Halifax for having brought forward a measure of this kind. I remember that not many years ago a person was brought before the English Courts, charged with having committed murder. It appeared that he had gone to the booth of a gymnast, and had there found his child which had been taken from him at the age of five or six—it was then twelve—and exhibited as an acrobat. He found that his child was not only destroyed in body but ruined in mind, and then and there he killed the man who had abducted him. He was tried for murder, as I have said, but the jury acquitted him. Such things are going on constantly; and I think, therefore, that the Bill of the hon. gentleman is one in the interests of humanity; and for my own part, I feel deeply indebted to him for having brought it before this House. I think it is quite within the scope of this Parliament to pass a law to protect such unfortunates as this measure seeks to reach, and I trust it will be adopted by this House.

Mr. McDONALD (Pictou). In answer to my hon. friend from Maskinongé (Mr. Houde), I have only to say that I cannot see in what particular the Bill trenches in any way upon the jurisdiction of the Provinces. The evils at which the hon. member for Halifax (Mr. Richey) aims have been very succinctly stated in the Bill. It provides that:

"No person having the care, custody or control of any child under the age of sixteen years shall exhibit, use or employ, or in any manner or under any pretence apprentice, part with, let out or otherwise dispose of, any such child to any person in and for the vocation, occupation, service or

purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat, in any place whatsoever, or for or in any obscene, indecent or immoral purpose, exhibition or practice whatsoever, nor for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child; nor shall cause, procure, encourage or permit any such child to engage therein."

I must agree with the hon. member for Niagara (Mr. Plumb) that the Bill, instead of being one to be deprecated, is one in the interests of humanity, and of that sympathy which we all feel for those who are unable to help themselves. I dare say we have all been at exhibitions where we would have enjoyed ourselves, but for the presence of children ranging in age from five or six to fourteen or fifteen, who were obliged to take part in performances which we all felt must have caused them torture for years afterwards, merely for the amusement of the onlookers and the benefit of the cruel and heartless people who compel them to engage in such exhibitions. It may be desirable in Committee of the Whole to alter the phraseology of some clauses of the Bill, and perhaps to change some of its provisions, and I have no doubt that the hon. member for Halifax will be desirous to meet the wishes of the House in that respect. But on the general principle that it is the right of this House to prevent inhumanity to children who cannot help themselves, I have no doubt that the House has power to pass this Bill.

Mr. LANGEVIN. I am not opposed to the principle of this Bill, but, as mentioned before in the remarks of the hon. member for Maskinongé (Mr. Houde), I think there are provisions in the Bill which go too far altogether. There is the 11th clause, for instance, which reads:

"When, upon examination before any Court or Magistrate, it appears that any child within the age previously mentioned in this Act, was engaged or used for or in any business, or exhibition, or vocation, or purpose specified and as mentioned in this Act; and when upon the conviction of any person of a criminal assault upon a child in his or her custody, the Court or Magistrate before whom such conviction is had, deems it desirable for the welfare of such child that the person so convicted should be deprived of its custody thereafter, such Court or Magistrate may commit such child to an orphan asylum, charitable or other institution, or make such other disposition thereof as now is or hereafter may be provided by law in cases of vagrant, truant, disorderly, pauper or destitute children."

I think the question of the custody of children is not a matter which belongs to this Parliament, with all our powers, but one which belongs to the Provincial Legislatures, and I think it would be a great pity to pass a clause of this kind at the risk of having it declared *ultra vires*. In fact, we should take the greatest care to prevent any encroachments upon the Local Legislatures by this Parliament and *vice versa*; and there is less danger of the Local Legislatures exceeding their powers in that respect than there is of our encroaching upon them, because of the great power which is over them, and the idea that that power would prevail in the long run. But it is certainly to the interest of this Parliament, as well as of the Provincial Legislative leaders, to see that no such encroachments take place on either side; and I should be glad if the Local Legislatures, jealous of these great powers which they enjoy under our Constitution, should take a great deal more care than they do to watch what is taking place in this Parliament, and exercise a proper degree of surveillance over legislation here which may affect their rights. It would prevent a great many of the appeals which are made from one Court to another, and which result in one Bill after another being declared *ultra vires*. I, of course, am in favor of the second reading of the Bill, hoping, however, that when it comes back to us from Committee it will be so modified as to prevent any interference with Provincial rights.

Mr. DESJARDINS. Mr. Speaker, in my opinion, not only is the 11th clause unconstitutional, not only is it not within the jurisdiction of the Federal Parliament, but the same may be said of the Bill itself. I believe that were we Mr. McDONALD (Pictou),

to ask the hon. Minister of Justice, who has just declared in favour of that Bill, if Provincial Legislatures have or have not the right of legislating on all the points enumerated in that Bill, he could not tell us that they do not possess such a right, or that Provincial Legislation in this matter would not be looked upon as perfectly constitutional. Under the circumstances, I, for my part, oppose the second reading of this Bill as an encroachment on the rights of Provincial Legislatures. One is too much inclined to endure such a tendency in this Parliament, and it has been endured in the case of many other Bills to which there were assuredly objections. It is evident that, by this Bill, legislation steps in to take away from the parents and from Provincial Legislatures that have control over the education of children, those rights embodied in the clauses of the Bill now before the House. Therefore, Mr. Speaker, were I even alone, I would protest against the second reading of the Bill.

Mr. ANGLIN. I have objections of a serious character to this Bill. I think it is dealing with a matter that comes properly under the purview of the Local Legislatures. Moreover, I do not think that in all cases parents are to be blamed who, finding their children possessed of good musical talent, and being themselves in indigent circumstances, allow their children to appear before the public at proper places, concert rooms or elsewhere, for the purpose of assisting in the support of a family. There is such a thing as carrying these measures too far. They may be productive of good, but they are also productive of evil. We should hesitate before supporting this measure. With regard to depriving parents or guardians of the care of their children, merely on the decision of any magistrate before whom they may be accused of having exercised undue severity, this Bill proposes to go very much too far. The rights of parents should be carefully respected. The tendency now-a-days is not for parents to abuse their power over their children, but rather to err in the opposite direction and to treat them with too much indulgence. There always will be cases where parents and guardians, given to the abuse of intoxicating liquors, become unfit to retain the custody of their children, but even when they are deprived of the care of their children, that should be done, not by one or two magistrates, but by the intervention of one or more judges of the highest courts of the country. It is an interference that should rather be discountenanced than encouraged by legislation on our part. I trust that now the hon. gentleman has pre-ented his views to the House, he will allow the Bill to remain over for a few days for further consideration. There is no urgency for this measure, and if we pass a Bill of this kind, we should take care that, while going as far as necessary for the protection of children, we should not go so far as unduly to interfere with the rights of parents and guardians.

Bill read the second time.

#### COURT OF MARITIME JURISDICTION.

Mr. McCARTHY, in moving for the second reading of Bill (No. 47) respecting the Court of Maritime Jurisdiction in the Province of Ontario, said: In moving for the second reading of this Bill it may be well for me to remove some misapprehension that seems to prevail among the members who have spoken to me on the subject, with reference to the object of this proposed legislation. The Bill is not for the purpose of taking away from the seaman all the exclusive rights that he now has, for the purpose of recovering his wages, but the object is to take away one right which it is supposed he has, because it is a question somewhat doubtful: whether he has a right to take proceedings in the Maritime Court of Ontario, for the purpose of arresting a vessel, and detaining it, before he has established any claim whatsoever. In the Merchants' Shipping Act of 1854, which is law on this

subject, the mode of recovering wages by a seaman is defined as follows:—

"Any seaman or apprentice, or any person duly authorized on his behalf, may sue in a summary manner before any two justices of the peace acting in or near to the place at which the service has terminated, or at which the seaman or apprentice has been discharged, or at which any person upon whom the claim is made is or resides, or in Scotland, either before any such justices, or before the sheriff of the county within which any such place is situated, for any amount of wages due to such seaman or apprentice, not exceeding £50 over and above the costs of any proceeding for the recovery thereof, so soon as the same becomes payable; and every order made by such justices or sheriff in the matter shall be final."

Now, that is the foundation of the special provision for seamen to recover their wages. When we passed the Merchants' Shipping Act of 1873, it substantially re-enacted the provision I have just read, and if hon. members will turn to the Act of 1873, which is to be found in the first part of the Statute of 1874—because it was reserved for the royal assent, and therefore does not appear in the proper year—they will find that seamen have a right to go before a justice of the peace to recover their wages when they are under \$200, and the decision of the Justice of the Peace is final. The Justice of the Peace has power then to order distress of the goods and chattels, and if the captain or the owner have no goods, then the seamen may sue the vessel, and if necessary the magistrates can remit the matter to the Maritime Court. No doubt it would be right and proper that the same provision should apply in the Lower Provinces, because this Act of 1873 does not apply to Ontario, and I would not have the slightest objection that this provision should be incorporated in this Bill. The result would be that a seaman who has a claim under \$200 would in the first instance have a right to go before two magistrates, or a County Court Judge, &c.; that upon his recovering, in a summary way, his wages and getting an order, the order could be enforced by seizure either upon the owner or the master of the vessel. If they had no property out of which the money could be got, then there is a right to seize the vessel, and if the vessel is beyond the jurisdiction of the magistrate, then there is a right to imprison the owner or the master. These are the special provisions which the Act of 1873 gives to seamen in this country, and I have no objection at all that they should be incorporated and made law in Ontario. What I do object to is this: That under the Maritime Court Act a seaman should have the right, before any claim is established, merely upon making a statement that he has a claim, to have the vessel arrested, except under peculiar circumstances which are pointed out in this section. I think the seaman should be properly protected as well as the vessel owner, if the provisions of the Act of 1873 were extended to Ontario, and that would give them the benefit of the Merchant Shipping Act of England, which enacts that if the seaman is turned off the vessel twenty miles from his home then he can seize the vessel. If the vessel has been seized, or if the vessel has been sold and the proceeds not yet disposed of, he can go to the Maritime Court; but I believe it is an injustice to vessel owners to permit a seaman, for a small sum, to order the arrest of a vessel when perhaps on the eve of departure. A seaman has at present the summary remedy of going before a magistrate, and if the matter is beyond the jurisdiction of the magistrate, the owner can be attached. That is the law in the Maritime Provinces and in Quebec, and I am quite willing that it should be incorporated in the Maritime Court Act of Ontario; but it is not right that we should have one law for the Maritime Provinces and another for Ontario.

Mr. PATTERSON (Basex). I do not know how the Maritime Court Act of 1877 works in other parts of the Province; but it has given considerable satisfaction, and has been the means of remedying considerable injustice in the

part of the country where I live. In 1879 the following amendment was passed:—

"1. No right or remedy *in rem* given by "The Maritime Jurisdiction Act, 1877," shall be enforced as against any *bona fide* mortgagee under a mortgage duly executed and registered prior to the first day of October, one thousand eight hundred and seventy-eight.

"2. No right or remedy *in rem* given by the said Act in respect of claims for towage, or claims for damage done by collision by any ship, shall be enforced as against any *bona fide* mortgagee, whose mortgage is duly executed and registered at a port of either of the Provinces of Ontario or Quebec."

The object of this amendment was, I suppose, to guard vested rights, not only those existing prior to the passage of the original measure, but for a year and a half afterwards. I do not know how the law is in the Lower Provinces as regards mortgages, but I know that in Great Britain and the United States a mortgage is not regarded as a lien on a vessel, except subsequent to such claims as sailors' wages, salvage and towage; but this amendment permits a mortgage to come in before all these claims. The consequence has been that seamen have, in some cases, been deprived of every dollar of their wages for a whole season, and persons after towing a vessel have found that a mortgage came before their claim. So that it will be necessary, if this amendment remains on the Statute-book, that tug owners, before taking a vessel in tow, shall have to enquire where it is registered and whether there is any encumbrance on it. Last Session I brought in a Bill to repeal that amendment, but it was dropped with other measures at the end of the Session. As to the measure introduced by my hon. friend from North Simcoe (Mr. McCarthy), if it extended to the Province of Ontario, the clauses he has read from the Seaman's Act of 1873, giving summary power to a seaman to collect his wages, there would be some ground for it; but he wishes to deprive the seamen of the privileges they at present enjoy under the Maritime Court Act of 1877. A good deal of objection is made to the establishment of courts in this Dominion, but the Maritime Court cannot be objected to on the ground of expense, as all it costs this Dominion is the enormous sum of \$600 a year. Among the rules of the Maritime Court is one that if the claimant for wages fails to obtain a sum in excess of \$50, the costs in connection with the suit cannot exceed \$10, so there is not much inducement to litigation as far as profits in the Court are concerned. I think it would be doing the greatest injustice to apply to the Maritime Court of Ontario any such restriction as is proposed by the Bill of the hon. member for North Simcoe. The Bill seems to be based on the principle that "to him who hath shall be given, and from him who hath not shall be taken away even that which he hath." I beg leave to move in amendment

That this Bill be not now read a second time, but that it be read a second time this day six months.

Mr. McCUAIG. Unfortunately for laymen here, they are not able to use legal phraseology, but they can speak of the practical working of laws introduced by lawyers in this House. One statement of the hon. gentleman who has just taken his seat, which was fallacious, was that, though it was enforced three years before, no action was taken on the law. The law was, however, not proclaimed until 1878. Most hon. members are familiar with the means adopted generally for the construction of vessels. Vessel owners as a class generally obtain credit for one half the cost of a vessel: say it costs \$50,000, they supply \$25,000 of their own capital and borrow \$25,000 more. No one will deny that the last \$25,000 borrowed, and for which a mortgage is given, represents the wages of men engaged in building the vessel. I think a mortgage given under such circumstances should be held as a security against any claim. The amended Bill that I introduced in this House was to the effect that all claims against the vessel of any kind prior to 1878, prior to the proclamation of the original Act of 1877, should not have retroactive effect as against mortgages held for the building

of vessels. That amendment passed this House almost by acclamation. This other clause was to do away with all claims for salvage as against mortgages given prior to the proclamation of the Bill, but the second clause gave preferential claims for wages accrued and for salvage over all mortgages after the proclamation of the Bill. If my hon. friend will limit himself to the simple facts and the truth, I am not afraid to have them placed before the House. But when he makes statements thoroughly fallacious it is time for me to defend myself. With reference to the case to which I referred, the cook was engaged at \$10 per month for the season. She conducted herself badly and the captain dismissed her and employed another cook in her place. Three or four months after when the vessel was put in winter quarters, some pettifogging lawyers got hold of her and told her that under this Maritime Court Act she could collect \$20 from the vessel. How did they go to work? At the close of the season the vessel was sent to Garden Island to have a new shaft put into her. Instead of the process being served on me, the registered owner of the vessel, or on her agent or captain, they sent a man from Toronto, who went on board the vessel which was about a mile out on the river in the ice, and nailed the process on the mast. The first intimation that I had, or the agent or the captain had of any process having been served was the advertisement for sale of the vessel which appeared in the *Globe*, the *Kingston News*, and the *Picton Gazette*. Had I not seen that advertisement, the sale would have been made legally, and proper title would have been given, and a vessel worth \$43,000 would have been sold for a debt of \$20. This was a proceeding which I am sure Parliament would never sanction. I think I have explained that the present law, as it exists, gives priority to mortgages prior to 1878, given in good faith on all vessels, and that the wages of the crew took priority over everything else. The hon. gentleman by his Bill proposes that:

"No suit or proceeding for the recovery of wages under the sum of \$200 shall be instituted by or on behalf of any seaman or apprentice in the Maritime Court of Ontario, unless the owner of the ship is adjudged bankrupt or declared insolvent, or unless the ship is under arrest or is sold by the authority of the said Court, or unless any justices acting under the authority of the Act of the Parliament of Great Britain and Ireland, intitled 'The Merchant Shipping Act, 1854,' refer the case to be adjudged by the said Court, or unless neither the owner nor master is or resides within twenty miles of the place where the seaman or apprentice is discharged or put ashore."

I never knew the object of the Supreme Court before, but I certainly think by the time the poor seaman got through the whole of this proceeding he would reach the Supreme Court. The consequence would be his wages would be all absorbed in law costs. A seaman's wages of ten dollars is as sacred to him as if they amounted to two hundred dollars. It would be fairly doing him out of his wages. The law, as it stands, is a proper law. The Deputy Minister of Justice went over the matter carefully with me; the seamen were satisfied; there is not a petition before the House complaining of its working; there is no complaint about it, except, perhaps, from a few lawyers, who wish to get more cases. If my hon. friend from Essex had not already moved the six months hoist, I would have done so.

Mr. CAMERON (Huron). For many Sessions of Parliament a Bill was introduced constituting a Maritime Court, and that Bill I have always opposed at every stage. I never could see any special reason why the class of cases provided by this kind of legislation should be treated differently from ordinary debts. Parliament, however, thought otherwise, and though for a number of years we succeeded in defeating the Bill, Parliament at length saw fit to enact this law. I recollect well that the principal reason urged by the hon. member who had charge of this legislation, and others who took the same ground in favor of this special and particular kind of legislation, was the protection of the seaman. It was said and, probably, correctly

Mr. McCuaig,

enough, that in many cases the unfortunate mariner was defrauded out of his whole season's earnings. I have known many cases of that kind myself. I opposed the Bill, not because I did not desire to see the seaman protected, but because I never could understand why one class of creditors should be dealt with differently from others. Parliament, however, having affirmed the proposition, and it having remained on the Statute-books a number of years without, so far as I know, evoking any serious complaints against the working of the law, except, perhaps, in the exceptional case to which the member for Prince Edward (Mr. McCuaig) refers, I can see no reason for making the change the member for North Simcoe now proposes. What would be the effect of this change? He might just as well repeal the whole Act in so far as the seamen are concerned; and that would be a much more straightforward and manly course. I am sure that, if he had introduced a Bill to repeal the whole Maritime Law of Ontario, I would not have voted for it; and the proposition he has submitted to the House, I cannot support. And why? Because, I repeat, he might just as well propose the repeal of the Maritime Law altogether. He knows quite well that in 99 cases out of 100—perhaps in 999 out of 1,000—the seaman's wages for a whole season would not come to \$200, which is the amount he proposes to enable the seaman to obtain, and for which there is summary redress provided by Statute. If that is the case, so far as the seaman is concerned, the measure would practically and substantially do away with the present law altogether, and leave the seaman in the position he occupied before the Act of 1877 was passed. No doubt in many cases that law worked a hardship; a seaman would be discharged at a particular port, without payment of his wages, and he would have no redress except an action against the owner of the vessel, which might be a foreign vessel, and the owner an insolvent, in which case the judgment against him would be but poor satisfaction to the seaman who had spent the whole season working for that owner's profit. The hon. gentleman's proposition would simply repeal the law so far as the seaman is concerned, and place him where he was before 1877. He has four exceptions, however, to that rule; but it does not appear to me they amount to anything. The first is, that where the amount of wages is under \$200, in four different cases the seaman can still pursue the summary mode of redress provided by the Statute of 1877. First, it is provided that a suit may be brought by a seaman for wages in case the owner of the vessel is adjudged a bankrupt. As the Insolvent Act is repealed, that exception cannot help the seaman. The second case in which a seaman may take proceedings is thus set forth: "Unless the ship is under arrest, or is sold by the authority of the said Court." Perhaps a ship might be sold by the authority of the Court for other than seamen's claims against her; and, perhaps, in a few isolated cases, a seaman would be able to get his wages, when under \$200, on that claim, but I know of none. The third condition under which a seaman may take an attachment is thus specified: "Or unless any justices acting under the authority of the Act of the Parliament of Great Britain and Ireland, intitled 'The Merchant Shipping Act, 1854,' refer the case to be adjudged by the said Court." Now did the hon. gentleman ever hear of a case of this kind? I never heard of one, and do not believe any such case has ever arisen here. So, also, in that class of cases, the unfortunate seaman would be in no better position than if the law was repealed. The fourth exception in favor of a seaman's lien runs thus: "Or unless neither the owner nor master is or resides within 30 miles of the place where the seaman or apprentice is discharged or put ashore." Now, that can only apply to a very few cases. Suppose the vessel is foreign and the owner an insolvent—suppose the vessel is out of the way altogether and cannot be reached, what benefit can that provision render the seaman? I repeat, the Bill, if passed, would be practically

and substantially a repeal of the whole law so far as the seaman is concerned, and I do not see any reason why it should pass. The mover, however, says he proposes adding to this Bill the provisions of the law that he states is in force in other Provinces. How is that going to help the seaman. It is proposed that in cases where the claim is under \$200, in the first place, a seaman shall have summary process against the owner of the vessel; and when he obtains a judgment before two justices of the peace, or one, or a judge of a County Court in his favor, he shall obtain a distress warrant, and, in default, imprison the debtor; and then, having failed, after all the annoyance, trouble, delay and expense of all those processes, he shall have a remedy against the vessel. What is he going to do if the vessel has left the country, or the owner has left it, or is a foreigner? A seaman is discharged in any port of Ontario, and if the law is repealed he has no remedy. Why the introduction of the law prevailing elsewhere would not help the seaman in the slightest degree. The only way to help him is to leave the law as it is. The hon. gentleman talks about the enormous expense of a suit to the seaman. It is a mere nothing. The hon. member for Prince Edward talks as if lawyers got all the benefits. All the lawyer gets when the claim is under \$100 is \$10, unless he experiments on the constitutionality of the Court and raises fancy questions and thus create a great deal of expense. Surely nobody would say that \$10 is too much for a lawyer's services in enforcing such a claim against a vessel. The best way to help the seaman is to let the present law alone, as he is tolerably well protected by it now. He can get redress when wronged. Under this Bill, the mariner would be in a worse position than ever before, at all events in one infinitely worse than under the present law. I shall have great pleasure, with a tolerable acquaintance with the working of the law, at all events in my own county, in voting for the amendment of the member for Essex.

Mr. McCUAIG. I draw a distinction between the pettifogger and the lawyer in this matter; and there are a great many pettifoggers around Toronto.

Mr. McCALLUM. I have had some experience in regard to the navigation of our inland waters, and I can say that the possession of a Maritime Court is a great boon to our mariners on those waters. In the first place, some hon. members speak only of the sailor in this matter; but more persons than our sailors have an interest in this question, the men doing business along our canals, for example, who supply foreign vessels with wood and perform towage service. I know that, formerly, vessels in winter, after the season's navigation, would be found to have changed hands, in order to wrong Canadians of their just dues. I am sorry the hon. member for Prince Edward made his amendment. I think the jurisdiction of the Maritime Court should be extended and not curtailed.

Mr. McCUAIG. They never had any preferential claims under the original law for supplies of any kind.

Mr. McCALLUM. The hon. gentleman speaks of a sailor holding a ship and taking a mortgage. I want to know what sailor is going to do that? Why should there be any restriction in his way in his efforts to collect his hard earned money? Why deprive the sailor of the right to collect his wages? So far as the cost of this Court is concerned, I am sure it is as cheap a tribunal as we have in this country. But there is one respect in which I think the present law should be amended, as it works a great deal of hardship as it now stands. Under the law actions must be brought within three months of the time when the debt is contracted—a provision which is hard even upon the debtor himself in some cases. Under the maritime laws of the United States, if a debt is contracted

this season, you are allowed to bring action any time within this season or next, and if you do not bring action within that period the debt is allowed to lapse altogether. I should like to see some such principle adopted in this country. Under the amendment proposed by my hon. friend from Prince Edward County (Mr. McCuaig), if a master sees a vessel in distress and wants to tow her into safety he would require to go through the formality of going to a registry office to see if there was a mortgage or other claim upon the vessel. He could not render her any assistance to supply her with goods until he made such an investigation. My hon. friend (Mr. McCuaig) has got into trouble with his cook. I would advise him to instruct his masters to deal fairly and squarely with all his employees, male and female, and then he will not be likely to get into such trouble. But I think the law should be amended, as I said before, by extending the time within which actions may be brought. As the law now stands it simply offers a premium to ship owners to get their vessels mortgaged so that they may defraud their employees, and I have had some opportunity of knowing whereof I speak. The hon. member for South Huron (Mr. Cameron) asks why exceptions should be made in the law for the purpose of favoring seamen, but I wish to tell him that sailors are placed in an entirely different position from those who work at other occupations. He must remember that seamen are not stationary like other men; they are constantly moving from one place to another; they have no home, and therefore they should have means placed at their disposal of collecting their wages by a summary process if they should happen to be discharged from their occupation.

Mr. KIRKPATRICK. I am glad to hear the opinion expressed here to-day, and especially by vessel owners, such as the hon. member for Prince Edward (Mr. McCuaig) and the hon. member for Monck (Mr. McCallum) that the operation of this Act has, on the whole, been a benefit, and I believe that will be found to be the almost universal opinion of those who sail our inland waters, or live in proximity to them. I think we should virtually be repealing the Act if we allowed the Bill of the hon. member for North Simcoe (Mr. McCarthy) to pass; it would certainly be a repeal of the Act so far as these persons are concerned, who were designed to be benefited by it, and in whose interests chiefly the Maritime Court was created. The seamen who gain their living on our inland waters are a large body of people. They have to endure great hardships and run great risks, and it is but right and reasonable that they should have a sufficient means of collecting wages which may be due to them. Hon. members who lived in ports upon our inland waters before the establishment of this Court must have been aware of many wrongs done to these people, who, after giving their services during a whole season, have had to go without their wages because the vessel was mortgaged to the masthead; and the mortgagees, after availing themselves of the services of these men in carrying freight which paid the interest on their mortgages, turned them adrift without recompense. This was a species of wrong which was frequently brought to my notice and it was repeated year after year until the hon. member for West Durham (Mr. Blake) took the matter up and passed an Act for which he has received, and will continue to receive, the gratitude of a large number of persons who have been benefitted by its operation. The hon. member for North Simcoe (Mr. McCarthy) has only given one instance to support his measure. He says there was a case in which there was a dispute as to whether a man was engaged by the day or by the month; but even in that case the owner of the vessel admitted there was some claim because he offered the man one dollar, and the latter said he was engaged for a month and that he wanted the wages for that period. I do not think the hon. gentleman could adduce another

instance in which any hardship has been done to a vessel owner by the working of the Act. The hon. member for Prince Edward alludes to another case of supposed hardship in regard to his cook, and he says a notice was put up and the vessel stopped.

Mr. McCUAIG. That is remedied now.

Mr. KIRKPATRICK. The trouble in that case was not due to the Act, but to the regulations. When the matter was called to the attention of the Judge the matter was put right. The Judge has tried to frame regulations to prevent such hardships as have been mentioned by the hon. gentleman—to prevent persons putting forward claims unnecessarily against vessels and tying them up. He has framed a schedule of costs, so that a claim under \$20 costs \$2; up to \$50, \$5, and up to \$100, \$10, so that there is no inducement to a seaman to tie up a vessel for a paltry sum, as he would have to pay, perhaps, a larger sum in costs. I do not think that this law has worked hardly or injuriously; I think it would be wrong to repeal it, and I shall with pleasure vote for the six months' hoist.

Mr. McCARTHY. Though there is not much chance after all that has been said of the Bill being read the second time, I propose to say a few words, because I believe my Bill is a fair Bill both to seamen and to vessel owners. The hon. member for South Huron (Mr. Cameron) discussed the Bill with a good deal of detail, but he did not do it fairly. If he will take the trouble of reading the section, it is not an original section, but copied from the Merchants' Shipping Act of 1853, he will find that there are five cases in which a seaman can have a remedy against a vessel owner. First, if a seaman has been discharged—not if he chooses to abandon a vessel as they sometimes do, for these seamen are not always immaculate, though my hon. friend beside me (Mr. Kirkpatrick) who partly represents Kingston, and desires to represent it still more closely, would have us believe so—there are cases in which seamen improperly go ashore, bring suit, and have the vessel arrested. If the man has broken his contract, and has gone ashore, then he ought not to have that remedy against the vessel. Another class of cases is where the vessel has already been taken in custody under the Maritime Act, or has been sold. There, again, the seaman can come in and get his wages, the Court having already seized the vessel. Then if the owner is insolvent—

Sir ALBERT J. SMITH. Suppose there are a dozen owners.

Mr. McCARTHY. I suppose they would be sufficient guarantee for the seaman's wages. I do not know whether the hon. gentleman knows a great deal about the working of the law in his own Province, but I want to apply to Ontario the law as it is there, that is all. If that law works satisfactorily in Quebec and the Maritime Provinces, where there are many more seamen than in our inland waters, I fail to apprehend why there should be a different remedy given to seamen in our inland waters than they possess upon the seaboard. These are the different cases in which this clause does not prevent seamen from applying to the Court. But why should a seaman have a different remedy from any other class of Her Majesty's subjects without having to go before a Court, and get his judgment and then seize the vessel? Sometimes seamen are led on by the class of people the hon. member has described as pettifoggers, and sometimes they cause the vessel to be seized when they have no legal claim at all and put the owner to great inconvenience and loss. That is a matter that ought to be prevented. If a seaman gets a judgment to recover his claim, then he has a right to seize the vessel or the owner's goods, and in certain circumstances to seize the owner's person. Is that not sufficient? However, I do not propose

Mr. KIRKPATRICK.

to press the Bill against the unanimous sentiment of every hon. gentleman who has spoken on the subject. I merely make these remarks to justify the view I had in introducing it. Notwithstanding all that has been said, I still think that seamen would have summary protection under the provisions of the law of 1873, which could easily be incorporated in Committee with the Bill I have introduced, with the special provision found in the Merchants' Shipping Act of 1873. Perhaps the Bill would be barren of result. Possibly the best plan would be to allow the Bill to go to a second reading.

Mr. McCUAIG. I am willing.

Mr. McCARTHY. While I hold to the sentiments of the House that seamen should have all the rights and remedies which they are supposed to have under the decision of the Court in Ontario, perhaps the hon. member will second my resolve that the second section of the Act of 1879 should be repealed, and that result, at all events, would be obtained from proposing the Bill.

Mr. McCUAIG. I am quite willing it should go to the Committee of the House.

Amendment (Mr. Patterson, Essex) six months' hoist, agreed to.

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

#### AFTER RECESS.

Mr. LANGEVIN read the following report on the ventilation of the House:—

"Hon. H. L. LANGEVIN,  
"Minister of Public Works.

"Sir,—In reply to your enquiry in regard to the ventilation of the House of Commons Chamber, I have the honor to report:

"1st. That the fresh air distributed into the Chamber is taken from the face of the cliff through clean ducts, and when occasions necessitate it (during very cold weather) from a vertical supply pipe over roof of fan room; this latter service is only used when all the corridors of the building are closed and the air perfectly pure.

"2nd. The ducts have been visited four times since the commencement of the session; during summer recess they are thoroughly brushed out, and during the past 18 months the only foreign matter found in them was one dead mouse.

"3rd. Owing to the numerous springs in the rock foundation of the buildings, a few of the original bricks are falling to pieces, but there is nothing in the line of duct to contaminate the passing air which is pure and good until after distributed in the Chamber; in fact, any person can satisfy themselves by smelling the fresh air inlet and discharge of suction fan.

"4th. The average variation of temperature in each twenty-four hours, in the Commons Chamber during the last Session was only five degrees, and during this Session so far only four degrees, while the thermometer outside has frequently varied upwards of thirty-five and forty degrees. The six thermometers of the Chambers are kept as near sixty five degrees as possible.

"5th. The cubic air space of the Chamber is about 240,000 feet—and the ventilating fan, at the speed we have to regulate to now, can completely change the atmosphere of the room every seventeen minutes, and although the *modus operandi* of effecting this change produces a minimum draft, it is simply an impossibility, from the construction of the building, to change the air without some member slightly feeling the motion of it.

"6th. Additional improvement can still be made in the ventilation by further expenditure.

"I have the honor to be, Sir,

"Your obedient servant,

"JOHN R. ARNOLDI,

"Mechanical Engineer."

As I stated yesterday my intention is to bring the matter before my colleagues with the view of asking Parliament to place a certain sum of money at my disposal in order better to ventilate the corridors and the Committee rooms.

#### CANADA SOUTHERN RAILWAY.

Mr. ROSS (Middlesex), in the absence of Mr. CHARLTON, moved for copies of all papers, Order in Council and correspondence in connection with the Customs duties paid or payable by the Canada Southern Railway Company, in respect of all machinery used by them on their steam ferry

boat, or boats at Amherstburg, and rolling stock; and also for a copy of any bond or bonds given by any such company for such duties, and a statement of all such machinery as was imported subject to duty; a statement of the amount or amounts of such duties, and any payment or payments made on account, and of any settlement of the same, with dates and all other particulars for 1878, 1879 and 1880.

Mr. BOWELL asked for what reason the hon. gentleman moved for this return—whether it was to ascertain the amount of duties paid on the articles imported and bonded, or whether it was in order to assist a man who asserted that he had a claim against the Government for having given information on smuggling.

Mr. ROSS said he made the motion in the absence of the hon. member for North Norfolk (Mr. Charlton), and he supposed it was appropriate and reasonable.

Mr. BOWELL said that if the motion was made for the purpose of obtaining information for a man who wanted to bring an action against the Government, he thought it ought to be resisted, but if it was merely to obtain the information pure and simple, he saw no objection to granting it.

Mr. ROSS said he did not see anything in the motion that was unreasonable, or that the hon. gentleman should refuse to give. Why it should concern the hon. gentleman whether his information was asked in regard to another in litigation or not, he could not understand.

Mr. BOWELL said there was no suit pending with the Canada Southern Railway Company. There had been no difficulty further than the settlement of the duties with that company. What he objected to was to bring these papers down if they were to assist a man in making a claim against the Government.

Mr. ROSS. Why not?

Mr. BOWELL. If he refers to the *Hansard* he will find a reply in the course his leader took with reference to the Waterbury case.

Mr. BLAKE said that in that case some papers were asked to be brought down which could not be of any public interest whatever, and the hon. gentleman who moved for them admitted that they were required to assist a prosecution against the Government. He (Mr. Blake), had objected then, as he would now, to the inquisitorial powers of this House being put into operation, to obtain papers in a matter of no public interest, for the purpose of extracting from them information for the assistance of a private suitor, which ought to be procured in another way. It was then said that whatever papers might properly be published, there would be no difficulty in bringing down. The hon. gentleman (Mr. Bowell) admitted that these papers might properly be called for. The hon. Minister said, if the papers were wanted for one purpose, he objected to produce them, but, if wanted simply for the information of the hon. member for North Norfolk or his constituents, he had no objection to produce them. He (Mr. Blake) did not understand the hon. gentleman was entitled to assume they were wanted for an improper purpose, if there was a proper purpose for which they could be wanted. If the hon. gentleman will state, as a Minister, that the production of these papers would be injurious to the Government in any litigation which was now going on, he would give us a sufficient reason for not producing them, in the absence of any further statement from the hon. member for North Norfolk; but, unless he made that statement, there could be no reason why we ought not to receive the return asked for.

Mr. BOWELL said he was not prepared to make any such statement for the simple reason that there was no litigation

going on with reference to those duties. A certain claim had been made, that claim had been resisted and the papers were asked for to assist the claim. If his (Mr. Bowell's) recollection be right, when the then hon. member for St. John made a similar motion, he was asked by the hon. leader of the Opposition, whether it was not for a certain purpose he required the papers, and on his admission that they were required for that purpose the motion was resisted. It was quite true his hon. friend was not aware of the objects this person has in view. He agreed with the hon. leader of the Opposition that a motion ought not to be made of an inquisitorial nature for an ulterior object. If it were for political purposes, there could be no possible objections to it. He had no objection to bring down the bonds, the amount paid under the bonds, and any correspondence relating to that, but he objected to bring down any correspondence to which he had incidentally referred in that connection.

Mr. BLAKE said the hon. Minister objected to bring down a certain portion of the papers because, in his opinion, it would assist a private individual in the prosecution of some claim against the Government.

Mr. BOWELL. No; the man himself may think that.

Mr. BLAKE said the hon. Minister did not correctly state his (Mr. Blake's) position on a former occasion, and did not correctly comprehend the ground upon which a Government ought to grant or refuse a motion such as that now made. His ground should be not what the motive of the mover was, but what the effect of producing the papers would be. If the effect would be to assist the prosecution of an unfounded claim, that was sufficient reason for not producing them; if not, there was no reason for producing them.

Mr. SCRIVER would like to know if the hon. Minister had made up his mind not to produce the papers referred to, under any circumstances, or whether, if the hon. member who made the motion were here, and made satisfactory explanations of the case, the hon. Minister would bring down all the papers. If the latter were the hon. Minister's conclusion, he would move the adjournment of the debate, in order to give an opportunity to the hon. member for North Norfolk to make the further explanation which the hon. Minister seemed to require.

Motion agreed to and debate adjourned.

#### TRANSLATION OF THE FRENCH DEBATES.

Mr. VANASSE moved for a statement showing the names of all persons employed as additional French Translators, translating by the page, during the last Session of the Dominion Parliament; 2. The number of pages translated by each of the said persons; 3. The price fixed in advance for each page so translated, and the price paid to each of the said additional Translators for each of the pages so translated; 4. The names of each of the officers of the House of Commons, who certified separately the number of pages so translated, and copies of each certificate given by them, and of each receipt given by each of the said additional Translators. He said: Since last Session, and especially since the beginning of the present one, certain rumors have been in circulation of a nature to incriminate in a rather serious manner the Chief French Translator. He is accused of sundry irregularities; he is accused of having given incorrect receipts or certificates, not to give the matter a harder name; and I make this motion in order that that worthy gentleman may have the opportunity of justifying himself, or that the truth be known about these matters.

Mr. LANGEVIN. I do not rise for the purpose of objecting to the adoption of the motion. The hon. member will, perhaps, excuse me if I do not speak in French, because I do not propose to offer any reply to a speech, but to avail

myself of this opportunity to bring another matter before the House in connection with translation. Perhaps I am not quite in order, but I venture to take this way of speaking in regard to this subject rather than by moving the adjournment of the House or other mode. The House may, perhaps, remember that on the 17th December I was called upon, as a member of the Government, to make a speech on the question of the Canadian Pacific Railway. My speech which was longer than the remarks I usually address to the House, was delivered in English; therefore, every word that appears in French in the *Hansard* is a translation of my speech. The other day a newspaper, in its independence and freedom, thought proper to criticize a speech delivered by the hon. member for Quebec East (Mr. Laurier), in regard to the character of the French he had used. I must say, so far as that hon. gentleman is concerned, that I never heard the hon. member make a speech which was not, so far as language is concerned, a credit to any French member in this House or other body; and, therefore, the criticism respecting his French I must say could not apply to his or to that speech, because his sentences are carefully worded, his French, in a word, is always correct and a credit to himself. But the newspaper that supports that hon. gentleman, *La Patrie*, took the speech delivered by myself on 17th December, and published a column, including such extracts as no hon. member speaking French would farther. The language is such language as is never used in this House; it is the language of men quite uneducated, and I must call the attention of those connected with the *Hansard*, and of the Committee charged with supervising the debates, to the manner in which that translation has been made. It is a disgrace to this House and to Parliament. Years hence, when we have all passed away, and reference is made to that speech by others, I hope the historian of that period will have the goodness to look at the remarks I offer this evening, and the protest I now offer against the language put into my mouth in that translation. The French language is my language, and although, perhaps, I may not in public speeches use the chaste language of *littérateurs*, and those who take the trouble to correct their sentences and make rounded periods, nevertheless I always try to speak the French language in such a way that my compatriots may not be ashamed of my utterances. I make this protest, and I hope it will be recorded, and the Committee, or those who have the supervision of the *Hansard*, should take care that the translation is made in such a manner that members of this House may not be ashamed of it.

Mr. BÉCHARD. I desire to offer a few remarks as a member of the Debates Committee. The Minister of Public Works has expressed the hope that members of the Committee would see that the translation was better executed than it had been. I suppose the hon. Minister does not mean to say, nor will any hon. member pretend, that the members of that Committee speaking French will take upon themselves the task of reading all the translations of speeches in order to see whether the work was well done or not. That, of course, cannot be done; but hon. gentlemen who have an opportunity of reading their speeches after they have been translated should feel it to be their duty, in case of bad translation, to complain to members of the Committee. It is only in that way the members of the Debates Committee can quickly ascertain whether the translation is well done or not, because the hon. member for Hochelaga (Mr. Desjardins) and myself are the only French members of the Committee, and we cannot assume the task of reading the translation to ascertain whether it is well done. It is an impossibility. So I say there is no other way by which the Committee can ascertain whether the work is well done or not than in the manner I have indicated.

Mr. LANGÉVIN. —

Mr. LANGÉVIN. I must say to the hon. gentleman (Mr. Béchard) that I must decline the task of reading my speeches after they are reprinted and translated. It is a task I cannot undertake; and I have no doubt that a large majority of hon. gentlemen who speak often and have large departments or avocations to attend to, would find themselves unable to do so either. We pay for good reporting and good translation, and when the attention of the Committee is called to the fact that the translation is only a burlesque I have no doubt they will see that the public money is not squandered on work done in that way. If the translators are not proper men they should be changed—we should have good translators. The hon. gentleman says that his present action is the only way to correct the evil, and that the Committee are not called upon to read the translated speeches. Doubtless they are not. But I suppose he will not require a motion to have the evil corrected. As a member of that Committee, I have no doubt he will take as much pride in having our speeches put down in proper language as becomes his position, and that he will see that the French sent out is not the sort of French that has been called Abenquis or Iroquois.

Mr. BÉCHARD. This is the first complaint that has been made, that has come to the ears of the Committee, and I am very glad the hon. gentleman has given us this information. We certainly shall take notice of it. I might suggest, as a remedy, that whenever the translation is bad, complaint should be made, for there must be some way of the Committee's ascertaining whether the translation is well or ill made. Of course, the hon. gentleman who last spoke agrees with me that the French members of the Committee cannot assume the task of reading the French speeches, to see whether the translation is well made or not. I fully agree with the hon. gentleman, that we ought to have a good translation. Every year that we have engaged translators, we have hoped for a better translation than in the past. If there is disappointment in this respect, it is not the fault of the Committee. We have found it a difficult task, up to the present, to obtain good translations, and do not know at this moment the best mode of securing them. But this is a matter that will be brought before the Committee very soon.

Mr. ROSS. I must say I regret exceedingly, that the Minister of Public Works has had any cause to complain of the translations. This is the first complaint, as my hon. friend for Iberville has said, that has reached the ears of the Committee in regard to this matter. A few complaints were made, some time ago, with respect to the French reporting, and as soon as the Committee heard of them they engaged a gentleman who has had a great deal of experience in reporting in the Courts of Quebec, since which time I understand no further complaints have been made. I would like to say, however, to the hon. gentleman, that the task of engaging suitable translators is a very delicate one, in fact, a very difficult one; and it is only by learning the views of hon. members who speak and understand French, that the Committee can be informed in regard to this matter. Of course, the matter will be attended to immediately. Another remark—I was going to make is, that those members who look for the translation of their speeches into French are sometimes so anxious to get them early, that I fear the translators are pressed, and are sometimes obliged by the pressure to sacrifice excellence to speed. There may be something in that view. Besides, it must be remembered that the task of reporting in English and French is a herculean task. It is something that has never been achieved in any Legislature in the world before, either as to quantity, excellence or rapidity of execution. The experiment we are now practising is a new one. I think it has met with a marvellous success; and although we are going steadily to seek to meet the views of hon.

gentlemen in regard to every detail, we trust that the members of this House who are favorable to the present mode of reporting the debates will be as patient with the Committee as they can, and strive to assist us in perfecting every detail of this work, so as to enable us to present at the close of Parliament, a finished report, both in English and French, of which neither French nor English members need be ashamed. I do not regret that my hon. friend the Minister of Public Works has called attention to this matter; and at an early day we will seek to make such arrangements as will remove all cause of complaint.

Mr. LANDRY. Mr. Speaker, since the debate on the motion of the hon. member for Yamaska has taken the turn it has, I will add a few remarks to what has already been said. I am surprised that the hon. member for Middlesex (Mr. Ross) should think that the system recently adopted has been a success. If a system by which we get the French version of the speeches delivered in the House, a month, five weeks, or even six weeks after their delivery, is not a success to be envied—and the hon. member is wrong in taking upon himself to assert, or at least to hint, that the few mistakes that creep into the French version are to be explained by the fact that accuracy of expression and idioms of language are sacrificed to rapid translation—such an explanation can noways be accepted, and French members are perfectly justified in complaining of the considerable delays which take place in the translation of the debates. To-day is the 17th February, and so far we have only seen in French that portion of the debates which took place up to the 11th or 12th January last. Things are thus more than a month behindhand. Whilst we are discussing the subject, I think that I will meet the views of many of the members if I suggest a new method of bringing out the *Hansard*. I think we should be better off were we to adopt the system in use in England. According to that system, a member would only be entitled in the *Hansard* to a summary of his speech, and in that summary should be inserted merely anything new that he may have said on the subject he spoke about. Three-quarters of the *Hansard* would thus be done away with; the debates would be less lengthy, the Session would be shorter, and the country and the members would be all the better for it.

Mr. BÉCHARD. The hon. gentleman speaks of the delays which have taken place in putting into the hands of hon. members the French copies of their speeches. That has been the subject of complaint on the part of hon. members of the Committee, who had the Chief Translator come before them; and they ascertained that the fault was not with the translation, but with the printers. He showed us that the translating was done as rapidly as possible, and that the delays were entirely owing to the printer.

Mr. CHARLTON. I beg to call the attention of the House to one or two matters in connection with the *Hansard* report of our Debates and Proceedings. I presume that some hon. gentlemen may not be aware that the report of the Debates of this House, which is now being issued, is the most voluminous of that of any legislative body at the present time. I believe that the *Hansard* of the English House of Commons employs a staff of eighteen reporters, though it is not as voluminous as ours, which is got out by a staff of six reporters. The amount of the work which the reporters of this House perform is very much greater according to the number employed, than is performed by the staff of the United States Congress, or in fact, of any other legislative body that I am aware of. I think, taking into account the amount of work which is done, and the pressure which has been placed upon the reporters during the heavy debates which have taken place this Session, we must conclude that the work has been extremely well done. I have no doubt that hon. members find it necessary to revise their speeches,

and they may expect to find some trifling errors at least. The report is held open four days for the purpose of allowing members to revise their speeches for book form of *Hansard*, for the report which is laid on the desks of hon. members at three o'clock is a temporary and necessarily an imperfect report, as it is got out at lightning speed, hardly any time being left for the staff to consider whether they are doing the work properly or not. The reporting is done hastily; so is the proof reading; so is everything in connection with the work, and it was supposed that hon. members would take pains to revise their speeches. I think, considering the haste with which the work is done, we can reasonably claim that the Committee and the staff have come as near perfection as could have been expected from the number of men who are employed and the labors they have to perform.

Mr. BLAKE. I rise simply for the purpose of making a practical suggestion, which may be of use to the Committee. I think the work on the whole—I do not say anything about the French reporting or translation, because I have not paid much attention to it, and do not claim to be a competent judge—has been satisfactory as reporting; but I think that, owing probably to the circumstance mentioned by the hon. member for North Norfolk (Mr. Charlton),—our rules requiring the proof copy to be laid on the Table at 3 o'clock next day—the proof reading has been extremely defective, and it seems to me it might be worthy the attention of the Committee to consider whether they really could not get out better work if they allowed a delay of some twelve hours before the printed paper should be put on the Table, with the special view of giving more time and thus, perhaps, securing better proof reading. The work of those hon. members who revise their speeches would thus be lightened, and they would not be called on to correct the most obvious errors in proof—errors which any intelligent proof-reader, if he had time, would be able to correct before the paper was laid on the Table.

Mr. JONES. I should be very sorry if any change is made with respect to the time at which the proof copies of the *Hansard* are laid on our desks; as I believe it is the correct system to report the language which hon. gentlemen, in the spur of the moment, use in the House, and that they should not be allowed further time to correct the proofs.

Mr. BLAKE. I did not say that.

Mr. JONES. No; but we infer that an extra twelve hours is wanted to enable hon. gentlemen to correct their speeches.

Mr. BLAKE. No, no; that is not what I said.

Mr. JONES. No; but we assume it. I say with regard to the whole work, that the speeches made in this Chamber are wonderfully well reported, that everything about the report is well done. I am somewhat surprised that the translators should have made any mistake with regard to the Minister of Public Works. I have no doubt that they made the mistake inadvertently, but I was certainly surprised that any mistakes should have occurred with regard to the speech of an hon. member who speaks English so well and so deliberately as the hon. Minister of Public Works. But my purpose in rising was to protest against any additional delay in laying the proofs on the Table.

Mr. BLAKE. I wish to correct a misapprehension into which the hon. gentleman has fallen. I did not, in the slightest degree, intend to suggest—and I do not think I did suggest—that there should be any intervention on the part of hon. members in the correction of the proofs. I hold altogether with the hon. gentleman that what comes upon the Table in the daily report should be the work of the reporters without the intervention of members at all, but I say that the work of proof reading has not been properly

performed, and that it could probably be better done if more time were allowed for the purpose.

Mr. WHITE (Cardwell). I am quite sure that no one would seriously suppose that the hon. member for West Durham should desire that members should have an opportunity of reading the proofs of their speeches in any way. But speaking as one having some practical knowledge of matters of this kind, I am afraid that the change that he suggests would not result as he anticipates. The misfortune of the matter is simply that the reporting staff is not as large as it ought to be for the work they have to do. The Chief Reporter, Mr. Bradley, supposed at first that he was to do the proof reading to a very large extent, at least the revising of the proofs, but as the performance of that duty led to its being almost impossible that he could do any actual reporting, it reduced the staff of reporters by one. In the work, such as the reporters had to do during the long debates we have had this Session, it was quite impossible with this reduction that they could get through their work, and as a consequence the proof reading has not been as good as one might desire. I can see no reason why the printer, who is really the contractor for both the printing and proof reading, could not get out the proofs properly as proofs—looking at them simply in that light—and have them corrected in such a way, as far as necessary, for the purposes of the daily edition. There are two plans by which the difficulty might be removed, either by appointing a new proof-reader altogether on the staff, or allowing the Chief Reporter to remain away from the Table and do the work of proof revising in his office. Unless we adopted one course or the other we would not benefit in the slightest degree by following the plan suggested by the hon. member for West Durham. As to the question of French translation, I may say that there were some difficulties at the start, as hon. members of the Committee will bear me out in saying. There were one or two of the translators—one at any rate—who was believed by the Chief, to be utterly incompetent. We had some difficulty, as members of the Committee will remember, in connection with the corrections for the printer, representations having been made by the Chief Reporter that the work was apparently done by some incompetent member of the translating staff. As I understand these persons are no longer connected with the translating staff, and I think I may say, on the testimony of the French members of the Committee, that the staff is now about as efficient as we can fairly hope to get it. The suggestion made by the hon. member for Montmagny (Mr. Landry), as to the delays has been answered by the hon. member for Iberville (Mr. Béchard). The delay in the French copy is not due to the translator at all, but to the printers. The matter was the subject of investigation, and the printers have been informed that they must get the French copy out more speedily than they have done. But hon. gentlemen must remember that even with a monthly delay, which is complained of, we are still much better off than we used to be. At this time of the Session we used to have the English copy, not only a month but five or six weeks behind, so that the reports of speeches delivered by hon. members were of no use to them, and the English copy contained the reports of speeches which were so different in some few instances from speeches delivered in the House that one could hardly recognize them at all, owing to the system of allowing hon. members to correct the manuscript of their speeches before going into type. The French copy had to be translated after the English copy was printed, and I think I am speaking within the mark when I say that the French copy really did not come out for two or three months after the speeches were delivered. As the hon. member for North Norfolk has pointed out, four days are allowed to members in which they may correct the printed copy. Under this system the French

Mr. BLAKE,

translators cannot consequently commence their work until they have the corrected English copy before them. I think if hon. members will go into the translators' office now, they will find—that is the information we had at a meeting of the Committee a week ago—that the French translation is well up, although unfortunately owing to the delays in printing the copy has not been submitted to the House. I am sure the Committee are very much obliged to the hon. the Minister of Public Works for bringing this matter before the House and making these complaints in the public way he has done. I am sure every member of the Committee will be glad to insist upon the greatest possible care being taken that the *Hansard*, as it comes out, whether in English or French, shall be creditable to the House, and the speeches creditable to the hon. members who delivered them, in so far as their construction is concerned.

Mr. MILLS. I believe the reporters often do their work under great disadvantage. There are frequent interruptions, members become tired of listening to the discussions, they are frequently coming into or leaving the House, and it is sometimes difficult for the reporters correctly to hear what is being said. I think that many of the mistakes which we find in the report are due to the printers and not to the reporters. In reading the reports we see mistakes evidently made by the printers who have not accurately read the manuscript of the reporters. Of course that is evidence that the proof-reading is not always done with care. I believe the fact is that the proof-reading is not done by the reporters, but is done by some one in the printing office. No doubt, the Committee may be of service to the House in calling the attention of the printer to the fact that the proof reading is not properly done. There are often glaring mistakes that ought never to exist in the reported document at all. Even though the report itself might not be perfect in every respect, if the printers did their work properly I am sure that even this first impression would be much more satisfactory than it is. If I correctly understand the hon. member for Cardwell, the translation is not made until after the copy in the language in which the speech is delivered is revised, and it often happens that members are so busily engaged that they delay to correct their speeches, and, consequently, there is some delay before the translator can get the revised copy. If members were always prompt in assisting in the correction of mistakes in the first impression, the translation would be much more promptly done than it is now.

Mr. PLUMB. I wish to bear my testimony to the fact of the great improvement that has been made by the system adopted this year. I have no doubt that every member who addresses the House has found a great deal of satisfaction in the prompt manner in which his speeches have appeared in the *Hansard* within a few hours, and he has found also that the reporting is, in the main, exceedingly satisfactory. I may say, however, that I think too great a charge has been imposed upon the manager of the reportorial staff. That gentleman has been compelled, not only to take his part in reporting, but to edit—I think that is the word—the reports as they come out. It is quite certain that the editor of the *Hansard* must be familiar with the topics which are discussed in the House, in order intelligently to translate the reporters' notes and get them properly extended, and to see that there is no mistake made which can be avoided. I understand that during the great stress that was thrown upon the staff through the long debates we have had, and the more than usual amount of business they had thrown upon them at the outset, they have been greatly overworked. My own impression is that if this thing is worth doing at all it is worth doing well, and that the best talent should be employed for the purpose, that it should be properly remunerated, and that we should not attempt to get too much work

of these gentlemen who are doing us an excellent service. I have reason to suppose that the staff is very much overworked. I have reason to believe that it would be very much better if the House should enlarge it somewhat. I do not think there is any one in the House who would like to go back to the old system of not having the official reporters on the floor of the House. I, for one, wish to bear my testimony to the thoroughness and promptness with which, as a whole, the reports have been made. There are, of course, and must be, mistakes from the hasty manner in which these reports are brought before us, within twenty-four hours, and frequently less than that, after the speeches are delivered; there must be blunders which a little time and more care would obviate. I have found more satisfaction in the reports I have received than I have ever had before since I have been a member of this House. The speeches are in general so well reported that one goes on for a long time scarcely finding it necessary to make any change or alterations, then, perhaps, we come to something slightly rough. If there is difficulty in the French translation I have no doubt it will be speedily obviated by the Committee, who, I am sure, are desirous of doing everything in their power to make this a successful experiment. I hope the services of the reporters will be appreciated. Since I rose to speak, I have had handed to me a memorandum which is exactly in the direction in which I have ventured to make these few remarks. This memorandum, I think I may take the liberty of saying, has been handed to me by the chief of the staff, since I have been on my feet:

"All that is required to perfect the report is to slightly strengthen the staff. That is all we ask. Let the Committee do this, and corrections will be reduced to almost nothing. Members will then have no trouble, and the extra cost will almost be saved in printer's corrections."

That is my judgment, and I hope it will meet with the approval of the House, and that liberty will be granted to the Committee to so strengthen the staff as to bring about what is suggested here by the very excellent superintendent of the staff, Mr. Bradley, than whom there is no better or more efficient man that I know of engaged in the practice of stenography.

Mr. HUNTINGTON. If I were disposed to agree with every word spoken by gentlemen on all sides of the House, I would still be inclined, from all that has been said, to ask the Committee or the House to consider whether it is better to increase the staff or diminish the material. As long as the present system prevails, the material which makes up the herculean work of the *Hansard* reporters will probably increase. We are so peculiarly situated that, as has been well said, the labors of the *Hansard* staff are greater and more efficient than elsewhere. The reporting being in the two languages, the labor is very great. The report which is almost the *ipsissima verba* of hon. gentlemen who speak, appears to me to be more than is absolutely necessary to adorn history, and I think we might, perhaps, adopt a system which would enable us to get a kind of digest of what hon. gentlemen say, or give some discretion by which the enormous labor the present system entails would be avoided and the enormous volumes of *Hansard* reduced.

Mr. ROYAL. Mr. Speaker, I think that the translation of the debates into French are very well done, and that the case of the hon. Minister of Public Works is an exceptional one. There are many difficulties in our language, as is well known to all those who are acquainted with the French language; it is difficult to speak it well, and especially difficult to translate it. There is an Italian proverb that says: "Traduttore, traditore." And in point of fact, in the case of a novice, a translator is often a betrayer. There are two translators' offices here in connection with the House of Commons. The translator of the debates employs new

hands, slightly conversant only with translating; and it is consequently not surprising that in some instances the translation should be faulty in more ways than one. But I believe this to be the exception; there are in that translator's office very able men, who know their own language perfectly well, and who can translate it as well as anyone; men who know French, who know how to write it, and who understand English as well as French. No doubt, Mr. Speaker, it is far harder to speak French grammatically than it is to speak English, and that is why we are so sensitive when we read the reports of what we have said. If we are reported verbatim, it is certain that, in many cases, we do not recognize our utterances or that we feign not to recognize them. Notwithstanding that a poet has said:

"Ce qui se conçoit bien s'énonce clairement."

We think we are expressing ourselves in a clear manner, yet often in the verbatim report taken of our utterances, we pretend not to know ourselves again. At all events, I think that we must in justice to the translators' office, admit that the translation is done as perfectly and as correctly as we can expect, considering the time and the circumstances. And now, Mr. Speaker, I will say a word about the other translators' office in connexion with this House; in that office there are to be found some very able men; nevertheless I think there is in that office room for improvement. I am told, and that on good authority, that some Statutes have been translated in so defective a fashion, that last year, one of the Judges of the Superior Court sitting in Montreal, refused to consider the French translation as the official text; as a matter of fact, when the French version was compared with the English one in one of the departments, it was found to be in distinct contradiction with the latter. No doubt, in this case as in the other, it would be unjust to condemn the whole office because a few Statutes or a few debates have been badly translated. Nevertheless, the discussion which has just taken place, ought to be an incentive to those employed in both offices to do better, whilst the Committee, whose duty it is to superintend the publication of the official debates, should see to it that there are in the offices a sufficient number of men to prevent the repetition of mistakes such as complained of to-night by the hon. Minister of Public Works, and which we regret as much as he does.

Mr. SCRIVER. With regard to what fell from the hon. member for Niagara (Mr. Plumb), I desire to say that it was understood, when the staff was engaged, that the chief of the staff was to assist when necessary, and only when necessary, as a reporter in the House, and that the duties of reporter was not to be allowed to interfere with the discharge of his duties as chief of the staff; and the Committee have been given to understand that such reporting as he has done has not been such as to interfere with his more important duties as chief of the staff. I was a little surprised to learn, from the hon. member for Niagara, that the chief of the staff had taken the method which he did to advise what he thought was required as an improvement in the French translation. I think it would have been more proper if that gentleman had communicated his views first to the Committee with whom he generally communicates, and allow the Committee, if they thought fit, to recommend some change to the House. We have already been given to understand that the delay in the French translation was not owing to the translators themselves, but owing to the printer. With regard to the insufficiency of the staff to do the work imposed on them, I think the Committee were satisfied that had the work which the reporters had to do in the early part of the Session continued, the staff would not certainly have been large enough to do the work. While the Pacific Railway debate continued, they had more work to do than could fairly be

asked of them; but the Committee were of opinion that during the remainder of the Session, the staff as at present composed, was sufficient for the task required of them.

Motion agreed to.

#### DISMISSAL OF SANDFORD FLEMING.

Mr. MILLS moved for copies of all memoranda to Council and Orders in Council relating to the dismissal of Sandford Fleming, as Chief Engineer of the Canadian Pacific Railway; also, all correspondence between Ministers, and between Mr. Fleming and any member of the Government upon the same subject.

Mr. LANGEVIN suggested that the word "withdrawal" should be substituted for "dismissal."

Mr. MILLS. Say "removal."

Mr. LANGEVIN. The hon. gentleman does not know whether it is dismissal or removal, and therefore I would suggest it should be withdrawal.

Mr. BLAKE said that the letter of the hon. Minister of Railways to Mr. Fleming informed him he had been appointed to some other office, and that another person was appointed in his place. If the hon. Minister properly called that a "withdrawal," he (Mr. Blake) did not understand the English language.

Mr. LANGEVIN said he understood that in the English language "dismissal" was not a complimentary word. It meant removal for cause. The hon. gentleman was not justified in putting that stigma on the late Chief Engineer of the Canadian Pacific Railway, therefore, he would suggest the word "withdrawal" should be used. Whether he had withdrawn by his free will or been offered another office, the papers would show.

Mr. ANGLIN. The favorite expression of the hon. Minister of Railways is that his services were dispensed with. Why not adopt that phraseology?

Mr. MILLS said the hon. Minister must know the facts better than any hon. gentleman on this side, but the correspondence did not show that Mr. Fleming had "withdrawn" from his position. It disclosed that he had been removed, that it was intimated to him he could not be permitted to remain. True, he was offered another position, but how he came to be offered that was not a matter about which he (Mr. Mills) made enquiry. His enquiry had reference to the fact of his having been superseded in the position of Chief Engineer of the Canadian Pacific Railway whether that was through the action of the hon. Minister or of Mr. Fleming would be disclosed by the papers; but certainly the correspondence given to the public showed that he was removed from his position and another put in his place.

Mr. LANGEVIN. We will give the information about that.

Motion, as amended by Mr. LANGEVIN, agreed to.

#### RICE AND POWDER DUTIES IN BRITISH COLUMBIA.

Mr. BUNSTER moved for a return of all duties collected on rice imported into the Province of British Columbia during the last fiscal year; also, a return of duties on powder imported into the same Province during the same period. He said: This motion may be considered, by some hon. members, as somewhat odd; nevertheless, it is of more importance to the whole continent of America than many hon. members can conceive. In asking for the returns of rice, it affects the whole Dominion and the whole continent—in imposing a tax on a certain class of individuals who defy competition and all tax collectors. That is a well known fact. It is admitted by all tax collectors that they

Mr. SCRIVER.

cannot reach this class now infesting the country—if I may be allowed to use the word—and who, to-day, are imported by shiploads into British Columbia. This is a question which we now feel very seriously on the Pacific coast, and which will also, in future years, be felt in the eastern part of the Dominion.

Mr. MILLS. Hear, hear.

Mr. BUNSTER. The hon. member for Bothwell, although well acquainted with most subjects, knows nothing about the question on which I am speaking, and it would be well if he abstained from displaying his ignorance—if I may be allowed to use the term. He may possess a serious motive for doing so. Who knows but he may be retained by some Chinese merchant—

Some hon. MEMBERS. Order.

Mr. BUNSTER. I maintain that I am perfectly in order. I have heard it stated that hon. members belonging to the legal profession received fees before; and when interrupted I claim I have a perfect right to accuse an hon. gentleman who interrupts me of having a fee from the Chinese merchants, because the Chinese claim they will yet own half the country, and will leave no stone unturned to accomplish their end. They brag and boast of it. What are they doing to-day? They are sending more people to our country than the whole of Europe. They say they will build the Canadian Pacific Railway, and they have cyphered out its cost. It is currently reported that the celebrated Onderdonk contract belongs to Chinese merchants. British Columbia entered the Confederation for the sake of having the Canadian Pacific Railway built; but we did not think it would be built by Chinese labor. We thought it would be built by Canadians and Europeans who would people the soil and develop the country, who would not take away every dollar they could rake up out of building the national highway across the continent. Hence we have a great grievance to present to Parliament, to lay at the foot of the Throne. I intend to press this motion on the attention of the Government, and I regret that while the Government promised to include it in their National Policy, they failed to do so, and I think it was a mistake. They increased the tax on powder, but they did not do so with respect to rice. If we allow Chinese to infest our country, as is at present being done, they will drive out the white population which has gone there and civilized the Indians, who make better citizens than the Chinese.

Some hon. MEMBERS. Hear, hear.

Mr. BUNSTER. I will prove my assertion by reading a short extract from a newspaper, the *British Colonist*, of Victoria. It is as follows:—

"The 'highbinder' bears to the Chinese portion of our population the same relation that the 'hoodlum' does to the white portion, in fact he is a 'hoodlum,' and sets at defiance all laws and customs, and is always ready to assail and resist. Huey Ah Hop, one of this class, was brought before the Police Judge on Friday for assault on one of his countrymen, and, after trial, was found guilty. Yesterday he was sentenced to pay a fine of \$100 or to be imprisoned for fifty days in the county jail. On Thursday night Hop was in the Chinese theatre on Washington street, and as there was standing room only he took up a position in one end of the passage way. During intermission one of the audience in passing but jostled against Hop, who drew from under his coat a hatchet and attempted to lay his head open with it, and would undoubtedly have done so had not a special watchman come up and placed 'highbinder' under arrest. The weapon used was produced in court, and on examination it was discovered that it had been ground until its edge was as sharp as that of a razor, creases had been cut into the handle in order to give a firm hand hold and the cutting portion of the weapon was covered with a sole leather guard to protect the wearer and which could be removed instantly at will. The weapon—a most dangerous one—is the implement used by every member of the Hatchet Society, composed of 'highbinders' banded together for the purpose of blackmail, plunder and murder."

These are the instruments the Chinese carry to cut people to pieces. If we are to encourage such a class of immigrants we will drive European immigrants from our shores—imm-

grants from France, Germany, England, Ireland and Scotland—and I ask the House which is the better class. When we consider there are in China 480,000,000, of a population, and that it could spare 40,000,000 or 50,000,000 people and not miss them, which masses could flood us out, am I not right in asking protection against this Chinese labor that is excluding the white labor of Europe? May I read some evidence taken before Congress with regard to these Chinese in the United States? No; I will spare the feelings of the ladies in the galleries. Members may inform themselves, in our Library, of the outrages against decency committed in the United States by the Chinese. The information would make one's blood run cold in connection with the thought that such emigrants may enter our country with impunity. If the Premier was in his seat, I would ask him why he did not put a clause in the Syndicate agreement prohibiting the importation of Chinese labor for the Canadian Pacific Railway. Now that the Minister of Customs is in his seat, I expect he will support my views, or at least impose a sufficient duty on rice.

Some hon. MEMBERS. Order.

Mr. BUNSTER. What is your point of order? Do you know what you are talking about? I am perfectly in order and know what my people require and demand. Let me say that the farmers in British Columbia feel severely this Chinese immigration. No white women will come into our country for domestic service. Chinese immigration deteriorates labor; hence our farmers are obliged to go without wives, which is certainly, all will admit, a great deprivation if not a curse to the human family.

Mr. MILLS. What, wives?

Mr. BUNSTER. What do you know about wives? But, to be serious, a frontier country requires nursing. We gave ourselves away to Canada, thinking we should be better protected; but had we known this evil was coming upon us, I question very much if the people of British Columbia would ever have joined the Confederation; they would not had they thought their prayers would not have received more attention than they do to-day. We have a right to lay our grievances before the Government, and when they profess a National Policy, ask that the sons of the soil should be protected against Chinese competition.

An hon. MEMBER. The Chinese.

Mr. BUNSTER. Who is speaking—you or I? When Chinese immigration creates bad blood with every man in British Columbia, I have a right to protest. I may say to the hon. gentleman who has more than once interrupted me, that when I finish, he can answer me; but I claim the protection of the Speaker to lay this grievance before the Government. We do not want to be imposed upon by a race that has been denounced by our American neighbors from stem to stern; and it was only the President who was bought, perhaps, by millions, who vetoed the Act of Congress, continued to the Chinese the privilege of landing on the United States shores. I notice that when Pacific Coast questions come up in this House, they do not get a fair hearing. I brought up this question years ago, and shall continue to do so while I am in the House, until I succeed in obtaining redress. We have a great grievance to contend with. There is not a British Columbian but would say "keep the Canadian Pacific Railway; let us keep out of Confederation if we can thereby keep the Chinese out of the country and preserve our internal rights and arrangements as we had them before the Union." We would be happier under the old system. I am much pleased, indeed, to have the approval of the member for Lincoln. The subject deserves the consideration of this House and country, and the more the country is enlightened on it, the more they will feel that

we have a grievance that ought to be remedied. Notwithstanding some hon. gentlemen will say it would be well to have the Mongolian race come to British Columbia and develop the sea of mountains, nevertheless that sea of mountains will take care of itself independent of that Mongolian race. It is unfair to the terms of Confederation, and contrary to the spirit of the contract with British Columbia, to allow Chinese labor to build that road in that Province. This portion of the Dominion here is too cold, and if I may use the language of the hon. member for West Durham (Mr. Blake), too inhospitable for them to come to. They have not the manhood and the hardihood to come into a country where it freezes, but our Province—warm, genial and salubrious as it is—is different, as they know very well. It is not long since a few of them came here, as agents, to report to the great kingdom of China and Hong Kong what this climate was like. The report was that it was not fit for them to live here. I trust that the Government will impose a duty on rice, according to the wishes of the people of British Columbia, and that they will also take the duty off powder, in order that our white miners, the native born sons of our soil, may develop the coal mines, the gold mines or the other mineral resources of our Province, which will yet be an incalculable boon to this country just as Ireland and Scotland are to England, one country furnishing the minerals and the other the breadstuffs and beef. We do not want our country populated by the Chinese; we do not acknowledge them as part of our people, and we do not wish to deteriorate our race by any mixture with them. I ask this rearrangement of the duties on the grounds of the National Policy, and from a Government who believe in protecting our home industries. I supported them through thick and thin in regard to protection, and I believe in protection still. I think that the imposition of a duty on rice, which would keep out an undesirable element in our population, and the reduction of the duty on gunpowder, which would develop our mining interests, would be a fair exchange and one which would be in the interests of the country. It is our duty to legislate in the interests of our own people and not of the Mongolians, a class of people who do not encourage churches or schools or any other means of promoting morality in our country. If our children go to school with half breeds and Mongolians, it makes bad blood, and I say that our people should not be compelled to mix with these Chinese, in either our schools or our churches. I want to see our country peopled by Canadians and Britons, and not by Mongolians, who are flooding our shores like the locusts in Texas some time ago, to the exclusion of white men. They are the greatest curse we have had to contend with, worse, by far, than the weevil or the Colorado potato-bug, because no farmers will settle on our lands, for they cannot get wives to make their homes comfortable. This is a grievance that money cannot counteract, for millions of money are worth nothing if home is not happy, and I would like to know if home is ever happy without a good maid in it. I claim that this question deserves well at the hands of the Government—deserves more consideration than they have yet given it. It is a more serious question to-day than the Pacific Railway Syndicate scheme, which they carried through so successfully. I hope they will comply with my request and impose a duty of twenty-five cents per pound on rice and remove the duty off powder. I make that suggestion, and I have the cordial support of the hon. member for Victoria (Mr. De Cosmos) in doing so. I leave the matter in the hands of the Government.

Motion agreed to.

#### CENSUS ENUMERATORS.

Mr. BLAKE moved for a list of the names of persons appointed to take the next census, giving the office held by each and the district for which he is appointed.

Mr. LANGEVIN. I do not know whether this covers more than the appointments already made. If the hon. gentleman means those, we might come down with one return first and then a supplementary one at a future day.

Mr. BLAKE. Are the great bulk of the appointments made?

Mr. LANGEVIN. It will not be long before they are all made.

Motion agreed to.

#### INSTRUCTIONS TO CENSUS ENUMERATORS.

Mr. BLAKE moved for copies of all written instructions and forms and papers prepared for the use of any of the officers engaged in taking the census of 1871, not already brought down, including the papers mentioned in the Census Report; and for a memorandum of the substance of the oral instructions given to the Commissioners on that occasion; and for the like information as to written instructions, forms and papers, and as to oral instructions in connection with the census for 1851. He said: It will be observed, from the report in connection with the last census, that there were appointed 206 District Commissioners, and 2,789 enumerators, who all receive a series of instructions before entering upon the execution of their duties. Each officer was furnished with a manual of directions and a specimen schedule indicating the manner in which every entry was to be made. It is to that that I refer particularly when I ask in this motion for the papers mentioned in the Census Report, the report indicating that there was a manual of their directions and a specimen schedule, as well as a schedule delivered to heads of families in taking the census. It seems to me important that we should have a copy of the forms that were used on the former occasion, together with the forms to be used in the next census, that we may compare them and see which are the best.

Mr. LANGEVIN. All these papers will be brought down as soon as possible.

Motion agreed to.

#### MODE OF TAKING THE CENSUS.

Mr. BLAKE moved for a statement of any information in the possession of the Government as to the number of persons counted during the last census, though absent from the place in which they were counted; distinguishing by Provinces, and also distinguishing between those said to be absent (1) in other parts of the same Province, (2) in other parts of Canada, (3) in the United States, and (4) in other foreign parts; also, for a statement of the means (if any) taken to ascertain how many absentees were counted; and to guard against those who had left permanently, and against those who were present only temporarily being counted; also, for a statement of the means (if any) to be taken during the next census to secure the suggested information, and to guard against the suggested defect in the taking of the next census. He said: I think the subject to which this motion relates is one of considerable importance. It will be within the recollection of those who had seats in this House when the former Census Act was under consideration, that there was a debate upon the second reading, I think, of that measure as to the mode in which our census should be taken, whether it should be according to the phonographic system or the system which was ultimately adopted. Upon that occasion the Bill not prescribing the precise mode in which the census should be taken, information was asked by hon. members as to the mode intended to be adopted, and several hon. members suggested that the peculiar difference in some of the Provinces with reference to the habits and employment of the population required a more extended provision than

Mr. BLAKE.

that which was adopted in England. But the Premier, the then leader of the House, declared that the only true mode of taking a census was the mode adopted in England, the plan of ascertaining the number of persons actually sleeping in a particular house which was visited on such a night of the year. Well, I have not the slightest doubt in the world that that statement was made in perfect good faith, and represented the then intention of the Government; but it so happened that the Government entirely reversed its policy subsequently, and the census of 1871 was taken, not upon the principle which had been stated to the House as that which was to guide the action of the Government, but upon another principle altogether. I am assuming that in some form or other, the policy on which the census of 1871 was taken, is that upon which this census is to be taken, and I simply desire now to ascertain what precautions have been taken to avoid the evils and difficulties which must occur in any mode of enumeration which does not follow the simple form to which I have referred. That there follow difficulties from the protracted system of enumeration is very clear. The report of the last census of the United States has not yet been issued, but in the general report of the Superintendent for the ninth census, that of 1870, while pointing out the accuracy which was attained as far as possible in doing the work, he heads one of the divisions of his report thus: "The Essential Viciousness of a Protracted Enumeration," and he points out that it is almost impossible to secure accuracy under that system. He points out that the period contemplated for the completion of the census was in round numbers 100 days. Then he says:

"Now, why the enumeration of a people is extended over such a period of time, a *de facto* enumeration is of course impossible. The country must be content with an enumeration which affords, in its very nature but an approximation, more or less inexact to the real number of inhabitants. A definition of *residence* must be introduced into the law and the schedules, and it is inevitable that, by the inherent vagueness of such definitions, considerable numbers will escape enumeration. This is not a question of the strong or loose administration of the law. It is involved in the very provision of the law by which a period of one hundred days is taken."

He proceeds to point out difficulties which occur in cities, owing to removals from one ward to another, and owing to absences. He points out also that a certain amount of duplication necessarily occurs, and gives some instances of it. Then he says:

"As the instructions given in the preparation for the present census were especially emphatic and clear on this subject, it must be inferred that the error is inherent in the nature of a protracted enumeration, and that the remedy can only be found in a *de facto* census."

He gives a number of errors which were found in particular classes. One of those instances is that of students resident at colleges. I understand that large numbers of persons were counted, although temporarily, as was supposed, absent from the places where they were counted, and therefore I desire the information asked for in the first part of my motion. Our law seems to be much looser than that of the United States. The schedule under which the census has just been taken, contained in an Act of Congress of 1878, and altered by an Act of 1880, provides for the "name of every person whose abode was, on the 1st of June, in this family." A special provision is also made for the enumeration of persons who have left certain parts of the States and who live in California, Oregon, Utah and New Mexico. I cite these instances to show that the Legislature of Nova Scotia provided for certain difficulties connected with the census, which we have left entirely in the hands of the Administration, and upon which it is expedient that Parliament should have information. I do not observe in the report on the results of the last census, any statement with reference to recounts, re-enumerations or a checking of the cases in which there appeared to be some discrepancy. I do not mean to say that there was no

occasion for such re-checking; I think it is not now likely that there was. I merely contrast the report in its meagreness, in this respect, with the report to which I have just referred, and I think, on that subject also, the House should have some information. It seems to me to be extremely important that we should know, in view of the extension which has taken place in our population, what steps are being taken to guard against the enumeration of those who have become absentees permanently, who have left one Province for another, or for Manitoba, the North-West or the United States. I understand that the instructions given for the taking of the last census provided in substance that the census officer should ascertain who belonged to a family, who were usually residents in a locality, and enumerate them even though they were absentees. The precise form of words I think we ought to know. I have heard it stated, though not on authority, that there is a serious alteration in the present instructions, and that the theory of the present census is, that those who were resident in a locality or in a family within twelve months preceding the day of the census, are to be taken. If there be any substantial deviation from the practice of taking the old census, I think we should know it, because I think such a method would be open to very serious criticism. If there was a column in the schedules for the names of any persons, who, at the time of the enumeration, are temporarily absent from a family or a locality, it would be a considerable check upon the improper counting of absentees. We could see at once, how far the numbers were swelled by the absentees being counted, and, by a certain law of average, we could observe where there was any undue swelling of the numbers on that account. If no provision of that kind exists, I do not hesitate to say that, in my opinion, we have omitted an important precaution against error in taking the census.

Mr. LANGEVIN said he was afraid the hon. gentleman could not expect to have all the information he asked for very soon, owing to defects in the taking of the full census, but the Government would bring down all the information possible in as short a delay as possible.

Motion agreed to.

#### EMIGRATION FROM THE UNITED KINGDOM.

Mr. BLAKE, in moving for copies of all despatches and correspondence on the subject of emigration from Ireland or other parts of the United Kingdom to the North-West and other parts of Canada, said: In December last, I think it was the 14th December, the hon. Minister of Railways flourished across the House a paragraph from the *Times*, and told me:

"I am quite sure that, as a patriotic Canadian, he will be glad to learn the London *Times* announced that the Imperial Government has promised to bring down a scheme of emigration, assisted by the Canadian Government. So the hon. gentleman may feel he is not quite in a position to repeat what I am rather afraid was to him a gratifying intimation, that the present Canadian Government had entirely failed in their negotiations."

Since that day we have not heard anything of the announcement of the Imperial Government. We have had, at a late period, laid on the Table a Message from His Excellency, in which he stated the proposition of the Canadian Government to the Imperial Government on that subject dated, I think, in November last; but we are now at the 17th February, and there has been ample time for the communication of a reply to that communication of the Canadian Government, yet we have no information of the intentions of the Imperial Government. I am anxious to know whether there is any official recognition by the Imperial Government of the fact that such a despatch was sent—any communication to show that the Imperial Government has considered the proposal of the Canadian Government—and if so, what

are the intentions of the Imperial Government on the subject? In a word, I wish to know whether there is any thing at all to prove that the gratifying statement made in the *Times*, and quoted by the hon. Minister of Railways on the 14th December, has any foundation?

Mr. LANGEVIN. The despatches and correspondence to which the hon. gentleman alludes will, of course, be brought down, unless the public interest would not allow them to be brought down. We have nothing to hide about that matter.

Mr. BLAKE. I am afraid that while the hon. gentleman has nothing to hide he has nothing to conceal.

Mr. LANGEVIN. The hon. gentleman has no right to say that.

Mr. BLAKE. I will give the hon. gentleman the reason.

Mr. LANGEVIN. What I say is that all the correspondence and despatches which we can bring down consistently with our duty to the country, and the interests of the country, we will bring down. The hon. gentleman has no right to say after that we have nothing to bring down. When the papers are produced he can form his own conclusion.

Mr. BLAKE. I said I was afraid that while the hon. gentleman had nothing to publish, he had nothing to disclose. He said that I had no right to express that fear. It was, however, based on a statement made to me a few days ago by the Minister of Finance, that there was no despatch from the Imperial Government on the subject.

Mr. DOMVILLE. Then why did the hon. gentleman ask for them?

Mr. BLAKE. Because I had put my notice on the paper.

#### ADMISSION INTO FRANCE OF CANADIAN-BUILT VESSELS.

Mr. VALIN moved for copies of all correspondence exchanged between the Canadian and the French Governments, with reference to the admission into France of Canadian built vessels on the same terms as European built vessels. He said: The shipbuilding trade in the Provinces of Quebec, Nova Scotia and New Brunswick is in a most languishing state. We have repeatedly asked the Government to inform us of the result of its application to the French Government to admit vessels free of duty. I well remember that, during the Session of 1879, mention was made of a tariff, according to which Canadian built vessels should be admitted on the same terms as those of other nations. The hon. Minister of Finance has said that he was not aware that any correspondence had taken place, at least recently, that could give us any information on the subject. With your permission, Mr. Speaker, I will read the text of the French law just passed:

"The *Journal des Débats* of the 30th January gives, in the following terms the law on the mercantile marine, as passed by the Senate and Chamber of Deputies:

"The Senate and the Chamber of Deputies have passed as law, "The President of the Republic promulgates a law, the tenor of which is as follows:—

"Article 1.—Free pilotage is granted to all sailing vessels of less than 8) tons burden, and to steamers whose burden does not exceed 100 tons, which usually trade from port to port, and which resort to the mouths of rivers.

"But, at the request of the Boards of Trade, and after an inquiry made in the ordinary form, departmental regulations shall be issued to determine such improvements as it may be deemed necessary to make, in the interests of navigation, in the existing regulations.

"Article 2.—In the case of vessels sailing in distant seas, the inspection prescribed by Article 225 of the Commercial Code, in the case of a new cargo loaded in France, shall only be compulsory, inasmuch as six months shall have elapsed since the last inspection, unless, however, such vessels shall have received injuries.

"Article 3.—"

It is in this Article 3 that we shall at last find some information in reply to the question which we have put:

"The deeds and documents establishing the changes, either partial or total, of the ownership of vessels, shall, on being registered, be liable only to a fixed rate of 3 francs. Art. 5, No. 2 of the law of the 28th September, 1872, is annulled in so far as it is in contradiction with the present enactment.

"Article 4.—As a compensation for the duties imposed on builders of sea-going vessels by the Customs Tariff, the following allowances shall be made them:—

"For steel and iron-built ships, 60 francs per gross ton."

In other words, Mr. Speaker, in order to encourage ship-building in France, and to increase the number of ships, premiums are to be given, which, as I have just said, will be of the value of 60 francs per ton for iron or steel-built ships.

"For wooden vessels of 200 tons burthen or more, 20 francs.

"For wooden vessels under 200 tons burthen, 10 francs.

"For composite vessels, 40 francs.

"For locomotive machinery on board steamers, and for auxiliary apparatus, such as steam pumps, feeders, winches, ventilators, driven by machinery, as well as the boilers feeding them, with their tubing, 12 francs per 100 kilogrammes.

"Shall be considered as composite vessels, wooden-encased vessels, whose frames and beams are entirely of iron or of steel.

"Article 5.—Any transformation of a ship resulting in the increase of its tonnage, entitles to a premium calculated in conformity with the foregoing tariff, according to the number of tons by which its tonnage is increased.

"Such premium shall be granted to locomotive machinery and auxiliary apparatus fitted in after the vessel shall have been constructed.

"When boilers are renewed, the owner of the vessel shall be awarded a compensation of 8 francs per 100 kilos on the weight of the new boilers, which are to be of French make, and which shall be weighed without their tubing.

"Article 6.—The allowances determined by Articles 4 and 5 shall be paid after the delivery of the deed of French registry, by the Collector of Customs who shall be nearest to the port where the ship was built.

"Article 7.—The free entry established by Article 1 of the law of the 19th May, 1866, and by Article 2 of the law of the 17th March, 1879, is hereby abolished.

"Article 8.—With regard to ships on the stocks at the time of the present law coming into force, the builders shall receive the allowances mentioned in Article 4, after deduction of the duties payable, according to the conventional tariff, on foreign materials the free entry whereof shall have obtained at the time of their importation for the construction of the said ships.

"Article 9.—As compensation for the burdens, which the mercantile marine has to bear in connection with the recruiting for and the service in the navy, there is hereby granted to French sailers and steamers, for a period of ten years, from the date of the promulgation of the present law, a premium on their navigation.

"This premium is only granted to vessels sailing in distant seas.

"French built vessels, newly constructed, shall receive a premium of 11.50c. per net ton, and 1,000 miles of travel, said premium subject to the following deductions every year:

"75 centimes in the case of wooden vessels;

"75 centimes in the case of composite vessels;

"5 centimes in the case of iron vessels.

"In the case of foreign-built vessels, the above premium is reduced to one-half.

"Vessels registered in France previous to the promulgation of the present law, shall be treated as French built vessels with regard to the above premium."

The meaning of this, Mr. Speaker, is, that were we to go and sell in France a ship built in Canada, Nova Scotia, or in New Brunswick, it would be to our disadvantage, for in that case, the French shipowner who would buy that ship would be entitled to put one-half of the premium per ton on the thousand miles of travel. This is an enormous disadvantage to us on the French markets.

"The premium shall be increased 15 per cent. in the case of steamers built according to plans which shall have been approved of by the Naval Department.

"The number of miles travelled shall be reckoned from port to port, and according to the direct maritime line.

"In time of war, merchant vessels may be requisitioned by the Government.

"Vessels engaged in coast and deep sea fishing, lines receiving a subsidy, and pleasure boats shall not be entitled to the premium.

"Article 10.—Every master of a ship receiving one of the premiums fixed by article 7 of the present law, shall be bound to carry, free of charge, all correspondence matter entrusted to his care by the Post Office authorities, or that shall be given to him to transmit to them in conformity with the Consular Act of 19 germinal year X.

"Should any mail officer be sent with such correspondence matter, he also shall be carried free of charge.

Mr. VALIN.

"Article 11.—A Departmental regulation establishing the distances from port to port, shall be issued to determine the working of this law.

"The present law having been discussed and passed by the Senate and the Chamber of Deputies, shall be enforced as a State law.

"JULES GREVY."

"Paris, 29th January, 1881."

Here we have the true answer, which we have been so long awaiting. I do not think it very advantageous for Canada. As a shipbuilder residing in Quebec, I do not see that according to that law we can build ships at Quebec on a very large scale. I do not think, moreover, that it would be an advantage for our Government to make a concession such as was spoken of in 1879, in order that our ships should be admitted on the same footing as those of other Provinces. If, according to the terms of that law we are, as it seems to me, entitled to enter free of duty, I think we are entitled to do so without making any sacrifices in our own tariff, unless there be private arrangements to be derived therefrom, of which we are ignorant, but of which we shall be informed later on, if such arrangements actually exist. If that law there is not, as far as I can see, more protection for us than for other countries selling their ships to France.

Motion agreed to.

#### VESSELS BUILT IN THE UNITED STATES AND REGISTERED IN CANADA.

Mr. VALIN moved for a statement of the number and tonnage of sailers and steamers, built in the United States and registered in Canada, from 1st January, 1878, to 1st January, 1880; also of the amount levied for the registry of said vessels. He said: Mr. Speaker, two years ago I made a nearly similar motion before this House, by which I asked that ships built in the United States and sold on our market should at least be taxed. I know that abuses exist. I know of ships owned in Canada and that have been bought in the United States, but I do not know if they have been registered. Should the Government accede to my motion, the truth of the matter will come out.

Motion agreed to.

#### MOTIONS FOR RETURNS.

The following motions for Returns were severally agreed to:—

Copies of all reports and accounts made by Antoine Dosithe Danis, as collector and paymaster upon the Beauharnois Canal, and submitted by him to the Department of Inland Revenue, Public Works, and of Railways and Canals, from the date of his appointment to the present time.—(Mr. Holton.)

Copies of all reports of Engineers or others, respecting the repairs made on the Dam or Breakwater at Shippegan, N.B., in the year 1880, of any reports made by the officers or others through whom the persons employed in the work were paid, and copies of the pay-lists; and also, copies of all correspondence relating to such repairs and such payments.—(Mr. Anglin.)

Correspondence and reports of Engineers in relation to the construction of a Breakwater and Breastwork at Souris West in King's County, Prince Edward Island.—(Mr. Muttart.)

Statement showing the value for duty at which the iron for the construction of the Chaudiere Railway Bridge was entered, the addition made to said value by the appraiser or collector at the Port of Ottawa, the names of the merchant appraisers appointed under Section 45, Cap. 10, 40th Vic., to whom the final appraisement was referred; together with a copy of the decision, award or finding of said merchant appraisers and of the Collector of Customs at Ottawa, in reference to such appraisement, or to the alleged under-

valuation for duty of all iron entered for the construction of said Chandiere Railway Bridge, and a copy of the evidence taken before the aforesaid merchant appraisers.— (Mr. Hay.)

Return of all import duties collected at ports of entry on James and Hudson Bay during the season of 1880.— (Mr. Schultz.)

#### SUPPLY.

Mr. LANGEVIN. If we follow a rule that has been followed for years with regard to the Supplies and Ways and Means, in order to allow the Minister of Finance to go into Committee of Ways and Means to-morrow, we should take the 15th item in Supply and pass it. I know that in the English House of Commons the practice has been changed, and now the two Committees go together; and it is well to go into Committee of Supply first and pass one item before going into Committee of Ways and Means. In order to avoid any difficulty in regard to not following the practice observed in England, I think it would be better to call item 15 in Committee of Supply and pass it, the first item of the Estimates.

Mr. ANGLIN. It is really a matter of no importance to follow that course. It has been the usual course in Canada for a great many years past. The British course has always been different. We never adhered strictly to the English course. We have taken a vote, generally, in Supply, for a very small sum, I think item 11, and have afterwards sometimes changed the tariff and added two or three millions to our taxation as the case might be. Perhaps it would be more convenient to adopt the modern English practice at once; but I do not think it makes a great deal of difference.

Mr. LANGEVIN. I think it better to vote this item, and not run any risk in the matter.

House resolved itself into Committee of Supply.

(In the Committee.)

2. The Governor General's Secretary's Office ... .. \$11,100

Mr. LANGEVIN said hon. gentlemen will see by page 10 of the Estimates that there is an increase on this item of \$100. It consists of two small sums of \$50 each to two clerks who have received the addition fixed by law.

Mr. ANGLIN. That is the thin end of the wedge.

Mr. LANGEVIN. That wedge has been established by law, and we must accept it.

Resolution ordered to be reported.

House resumed.

#### THE LATE MR. CONNELL.

Mr. LANGEVIN. Before moving the adjournment of the House I wish to express the sorrow we all feel at the untimely death of our colleague and fellow-member, Mr. Connell, the member for Carlton, New Brunswick. My hon. friend the Minister of Finance wished to be present to make a few remarks upon this sad event, but is unfortunately obliged to be absent this evening; and therefore he requested me not to forget to make a few fitting remarks on this melancholy occasion. I have no doubt that I am only expressing the views and feelings of every hon. gentleman in saying that we all regret extremely the death of Mr. Connell. He was quiet and unassuming in manner, but those who knew him best are aware how kind he was and how attentive to his duties, and how great was the interest he always took in the welfare of his county and the country. It is a very painful duty to me to have to make these few remarks, especially after the loss already this

Session of two of our colleagues. With these few remarks I shall move the adjournment of the House.

Mr. DOMVILLE. Before the motion is put, as a New Brunswicker I cannot allow the occasion to pass without a few words in reference to my hon. friend whom we have lost. His death is a matter of very great regret. I have known him very intimately, have been most friendly with him, I have seen a great deal of him; and last night when I went to see him before retiring I was shocked to find that he was dead. I cannot adequately express my feelings on this sad occasion. It must, however, be a matter of great pleasure to his friends in New Brunswick and elsewhere to know that his loss is so much felt here by people at so great a distance from his home, and that he received great kindness, not only from members of this House, but from the citizens of Ottawa generally. I am sure that if his relatives could have been here to-day and seen the way in which the citizens turned out to attend his funeral, they would have felt convinced he was held in great respect, and that his loss was quite as much felt as the Minister of Public Works has stated to the House. And as a member from New Brunswick I feel pleased that so much respect has been paid to the memory of the deceased gentleman whose friends were so far away when he was removed by death. His father died when I was a member of this House, and I saw his body carried out of the hotel as the body of his son was taken away to-day. I feel that the loss we have sustained is one which is not sustained by this House alone, but by the whole Province of New Brunswick, because I believe hon. gentlemen opposite will agree with me in saying that he had not an enemy on either side of the House.

Mr. ANGLIN. The House will permit me very briefly to add my tribute of respect to the memory of a gentleman whose death was so unexpected and whose loss we all deplore so much. We who come from New Brunswick feel his loss much more sensibly than other hon. members. To most of us he was personally known; to most of us his family were well known, and we all esteemed and respected him in his private life however we might differ from him with regard to public affairs. He was, as the Minister of Public Works has said, singularly retiring and unobtrusive in his manner, but he was also remarkably attentive to his public duties. We, on this side, know more of him in his private life; we all knew him before he became a member of this House; we know that he was respected in the part of the country from which he came, and that he was exceedingly popular there—not that he sought popularity by the ordinary means which politicians use, but because he led so excellent a private life. He was so estimable in all the private relations, and was so much esteemed and regarded by the people throughout his county, that when he became a candidate, sometime after the death of his father, his election was regarded as a certainty from the first. We all thought that the dangerous crisis in his illness had passed. We heard late yesterday afternoon that he was quite out of danger and that his recovery was certain, and the news of his death came so suddenly, as not only to cause profound grief, but also a very sensible shock. I heartily join in a tribute of respect to his memory, and in the expressions of sympathy with his family who, I know, will regret him long and deeply.

Motion agreed to; and (at 11:05 o'clock, p.m.) the House adjourned.

## HOUSE OF COMMONS;

FRIDAY, 18th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## SUPPLY.

The Resolution adopted in Committee yesterday, was reported, read a second time, and agreed to.

## THE BUDGET.

Sir, LEONARD TILLEY. Mr. Speaker, in moving the House into Committee of Ways and Means, I desire to make my financial statement to the House. In doing so, I cannot do better than follow, to some extent, the course I pursued when this duty devolved upon me last Session, and, indeed, I may say the previous Session. I then, Sir, contrasted the position I occupied with the position in which I was placed, as Finance Minister, after submitting my statement in 1873. I called the attention of the House, at that time, to the fact that in 1873 I could point to a full Treasury; to a prosperous condition of the country; and to a hopeful state of things for the future. In 1879 matters had materially changed. I had to point out to the House the fact that for three or four years there had been a deficit; that the trade of the country was very much depressed; that our manufacturing and other industries were very nearly crushed out; and that it became an important and serious duty for the Government then to inquire what steps should be taken, or could be taken, for the purpose of remedying the existing evil. At that time the Government submitted propositions to the House, which they considered were calculated to remedy these difficulties, and last Session I was in the happy position of being able to say that, to a very great extent, the result of the measures that had been submitted and carried through Parliament had been to restore confidence, to restore the revenue, and to give an impetus to our manufacturing and other industries. Though we were not, from circumstances over which we had no control, at that time, in a position to state that the receipts of the year would equal the expenditure; yet, Sir, we expressed the hope, and the firm conviction that when Parliament next met we would be in a position to assure the House and the country that, as far as the financial operations of the Tariff were concerned, the revenue would be found to be ample for all the purposes of the country. I am, Sir, in the happy position to-day, of being able to affirm, to confidently affirm, that the most sanguine expectations of the Government and of our friends behind us—the most sanguine expectations of our supporters in the country have been, within two years, fully realized. I had, Sir, at the last Session, to state that, owing to circumstances over which we had, to a great extent, no control, we were compelled to come down to the House and ask, over and above the Estimates of the year previous, \$200,000 for the relief of Indians in the North-West, \$100,000 for the relief of our suffering fellow-countrymen in Ireland. We also asked for sums to meet engagements not anticipated the year previous. We were, therefore, compelled to admit that, upon the basis of calculation made in 1879-80, there would be a deficiency of \$500,000 between receipts and expenditures last year. Sir, I am happy to say that, upon the calculations that were made, so far from the deficiency being \$500,000, it was reduced to \$243,228. But I think I hear some hon. gentleman opposite say, the Public Accounts show that the difference between receipts and expenditure was something like \$1,500,000. Well, Sir, that is quite true; but let me call the attention of the House to the fact that in 1879 and in 1880

Mr. ANGLIN.

I submitted for their consideration a Tariff, the revenue producing power of which I stated we estimated at \$2,600,000 per annum more than the then existing tariff; or, in other words, that the revenue during the next year would, under the new Tariff, be \$2,600,000 more than under the old Tariff, and deducting sums paid as drawbacks, there would be a net increased revenue upon goods consumed during the fiscal year of 1879-80 of \$2,500,000. Well, Sir, I said at that time that in that estimate there would be \$700,000 Customs that would be collected in the year previous, but, to use the language of my predecessor, which would be borrowed from the following year. I also stated that from the Excise dues collected the previous year there would be \$600,000 borrowed from the next year, and that from the enormous withdrawal from bond the imports and excisable goods within the first three months of January, February and March would exceed, in Customs by a million and three or four hundred thousand dollars, and Excise \$1,100,000, the figures for the corresponding three months of the year previous. My calculations were based upon the producing power of the Tariff, because it will be quite apparent to the House that, no matter when changes of Tariff are made, whether it be in 1874 or in 1879, there always will be increases of imports and withdrawals from bond of a large amount of goods that must take necessarily from the following year revenue that properly belongs to that year. If my calculations had been based on the revenue simply to be received the following year, it would be quite apparent to the House that we would have had to increase the revenue, in order to make up the actual receipts of that year, \$1,300,000 more than was necessary for subsequent years, because that, Sir, would have been anticipated in the year previous. My hon. friend opposite, when Minister of Finance, as is perfectly well known to hon. members of this House, discussed this subject in the controversy that was had in 1874 and in 1875, renewed in 1879 and continued in 1880, with reference to the estimates of expenditure and income, made by myself in 1873, and its effect on the revenues and expenditures of that year. It is well known, Sir, that the actual receipts of that year were in excess of expenditure between \$800,000 and \$900,000. I am sure no member on this side of the House ever claimed that the increased sum collected in that year, as the result of the changes in the Tariff, should be placed to our credit in the year 1873-74. The hon. member opposite, my predecessor, estimated that he received in that year, as borrowed—to use his term—from the following year, something like \$1,500,000. At all events, there was very little discussion as to the amount. There was some discussion as to the items of expenditure that properly belonged to that year. Certainly it was never claimed by the present Minister of Railways, or by the hon. member for Niagara, who also took up this subject, and it was never claimed by myself, that we had a right to that \$1,500,000 borrowed from the year following, received the year following. We now claim that the \$1,300,000 received on goods consumed in 1879-80 should be fairly taken into account as establishing the producing power of the new Tariff. Well, Sir, on that basis, the estimated receipts for that year were \$24,450,000. Total cash receipts, \$23,307,406; borrowed from this year, in 1878-79, \$1,300,000. The producing power of the revenue received upon the goods consumed during the year, added to other revenues would be \$24,607,406, as against the estimated revenue of \$24,450,000. The estimated expenditure of 1879-80 was \$24,978,000, and the actual expenditure was \$24,850,634, showing an increase of receipts over the estimated expenditure, and a decrease in the expenditure, reducing the deficiency, as estimated last year, from half a million to \$243,228. If it had not been for the grant to the Indians of \$200,000, and for the grant of \$100,000 for the relief of our fellow-countrymen in Ireland, there would have been a balance to our credit instead of a deficit, and this fact shows that the

Estimates were as accurate as they could possibly be. Now then, Sir, with reference to the present year, it will be remembered, the estimate of receipts made in March last for the current year, was \$25,517,000. The Customs revenue was estimated at \$15,300,000. Hon. members will recollect the statement which I made at the time as to the basis on which I made that calculation. I estimated that there would be received, during last year, in cash for Customs \$14,000,000, which, with \$700,000 added, made \$14,700,000; and for Excise, \$5,213,000. I estimated the Customs revenue would be increased by 5 per cent., or at least, there would be an increase of 5 per cent. in the imports, which would give an additional \$800,000 of revenue from this source, making, in all, \$15,300,000. Taking all the revenue together, our income was estimated at \$25,517,000. I am now, Sir, in a position to state, after an experience of seven months and a half, that our income will be at least \$27,586,000 against the estimate of \$25,517,000. It is quite clear now, Sir, from the information which we have, that the Customs receipts for the present year will amount to \$17,000,000 compared with the estimate of \$15,300,000; that the revenue from Excise will be \$5,600,000, against the estimate of \$5,213,000; that the revenue from the Post Office will be about what we estimated it at last year, \$1,210,000; that the revenue from Public Works will be \$2,286,000, as we estimated last year; Bill Stamps will yield \$190,000; that the interest from investments will be \$600,000; and that the revenue from all other sources will be \$700,000. The estimated expenditure made in March last, including the Supplementary Estimates, amounted to \$25,315,786. The Supplementary Estimates which were submitted to the House a few days since, amounted to \$457,608. This includes, a second vote of \$200,000 to meet the demand made this year for Indians, being the same amount required for this purpose for the year previous. But, Sir, deducting the sums which will not be expended, and which will probably be dropped at the close of the fiscal year, or carried over for expenditure next year, I think I may safely say that the expenditure for this year will not exceed \$25,573,394. If our Estimates are correct in this respect, the surplus for the current year will be \$2,011,000, or \$2,000,000 in round numbers. I know there are hon. members in the House who, not looking, perhaps, into this matter, may have supposed, from the published statements made from month to month, and from the increase in the revenue as compared with the corresponding months of the previous year, that the surplus would have been larger; but when I call their attention to the fact that during the first six months of the fiscal year previous \$1,300,000 was lost to that year, it having been placed to the credit of the year previous—and that, therefore, in making a comparison, you have to add to the six months previous \$1,300,000—they will see at once that the apparent difference between the receipts of the first six months of the two years would be materially reduced; but I think it will be considered satisfactory to the House and to the country, that, under existing circumstances, we have every prospect of having at least \$2,000,000 as the surplus for the current year, so that beyond doubt, Sir, the revenue producing power of the present Tariff—and, as I will show by-and-by, the power of the Tariff to stimulate the industries of the country—is clearly established. I now come to the Estimates for the next fiscal year. It is estimated that the receipts will be as follows:—Customs, \$17,000,000; Excise, \$5,600,000; Post Office, \$1,300,000; Bill Stamps, \$190,000; Public Works, including Railways, \$2,360,000, and interest on investments, \$550,000; making, with the revenue accruing from all other sources, \$27,860,000. The estimates of expenditure submitted to the House amount to \$26,189,896. I do not know, at the present moment, what the Supplementary Estimates may be, they vary in different years. I trust they will not be large, because we were exceedingly

anxious to obtain all that it was possible to submit as the main estimate for the year, but I will add \$200,000, for I find that two or three items have been omitted, either by the clerk or by the printer, but probably occurred during the checking off by the clerk. But, stating this estimate at \$200,000, the estimated expenditure for next year will amount to \$26,389,896, leaving an estimated surplus of \$1,410,104. Now, Sir, I beg to call the attention of the House to a few items in the present Estimates, causing largely the increased expenditure for the next year. The House will not be surprised, considering that the Estimates contain an expenditure, under the head of capital, of something like \$14,000,000 for the Pacific Railway, for canals, and for other public works, that there will be an increase in the interest on the debt during the next year, and that therefore the sum of \$319,605.37 have been added to the interest on the debt and sinking fund for next year. The subsidies to Provinces show an increased estimate of \$33,919.78. It becomes necessary, owing to the census which is to be taken this year, and under the Union Act, to pay 80 cents a head on the increased population of all the Provinces which have not a population of 400,000, and from the negotiations which are at present going on with Manitoba, it is probable that there will be an increase given to that Province—especially if the boundaries are extended. It is estimated in round numbers that at least \$34,000 will have to be added to the item of subsidies to Provinces owing to these two causes. The charges for management are increased by \$10,438.68. That arises from the fact that \$13,000 additional will have to be paid to the agents during the next year, as 1 per cent. on the redemption of a much larger portion of the debt than it was necessary to redeem during the current year. The estimate for Public Works and buildings are increased by \$127,772.97. Hon. members recollect very well that during the last two years, while a surplus was not assured, and while, on the contrary, we had to admit that there would probably be a deficit of half a million, the Minister of Public Works and his colleagues had to resist many applications—applications in respect of works recognized as having great merit—because we did not wish to increase the expenditure beyond the income. Many of these claims which thus rejected, when we felt we had not the means to provide for them, we felt we were bound to recognize now that we show a prospective surplus of two millions in the Treasury. In consideration of that, and looking to the improvement of our harbors, our navigation and our public buildings—

Sir ALBERT J. SMITH. Hear, hear.

Sir LEONARD TILLEY. My hon. friend opposite says "hear, hear." I know he is hoping that his own locality will be considered. I am glad to know that he approves of the extension of these great public works. Under these circumstances I say, the House will not be surprised, the country will not be surprised, but, on the contrary, will be gratified, to know that the Government feels itself in a position to increase the expenditure on the public works, on these great national objects, to the extent of \$128,000. Then there is an increased expenditure of \$61,300 for the militia. During the past two years we have not been able, and we did not feel ourselves called upon, to add to our debt by devoting a larger sum than was absolutely necessary for that important service. It is well known that during last year and the year previous, the volunteers only received, I think, four days drill per annum—

Mr. CARON. Six.

Sir LEONARD TILLEY. Six was it. I knew it was about half what they were in the habit of getting. It has been considered desirable and in the interests of the country, that the sum for drill should be increased, and that the drill, this year specially, shall be greater than it has been for the last year or two. The sum to be expended on Ocean and

River Service is increased by \$56,140. This arises from the fact that communications have taken place between parties in France, and parties in Canada, relative to the importance of establishing a line of steamers to ply between the city of Quebec, and France. It would be an advantage if such a line could be established; and as it has been asserted that the French Government will contribute \$100,000 towards the undertaking, it was considered desirable to ask Parliament to place at the disposal of the Government \$50,000 for the purpose of securing the establishment of that line between Quebec and France. I know it may be said that, under the present tariff in force in France, the amount of business transacted between the two countries has not been large. But the very fact of the French Government granting \$100,000 to this line, will be a declaration on its part that it is prepared to extend its trade relations to Canada; and Canada, therefore, is not in a position to resist, for a moment, an application for a grant. We have, therefore, asked \$50,000 for the purpose. Then, Sir, there has been a growing difficulty in the Maritime Provinces with reference to the communication between those Provinces and Great Britain. The people of the Maritime Provinces for the past year or two have been turning their attention to the export of cattle, of agricultural products and of fruit to Great Britain; and from the fact that there was no line of steamers from the Maritime Provinces, except from Halifax—and the steamers from that port were not exactly the kind to do the business we required them to do—we were compelled to go to the city of Quebec, largely, and take the steamers there, which greatly added to the expense of the transport, and to the reduction of the profits of shippers in the Maritime Provinces who were shipping the Government have, therefore, decided to ask Parliament to place at its disposal, for a fortnightly steamer running alternately from Halifax and St. John, and thus serving Prince Edward Island also, the sum of \$25,000. I feel, Sir, that these services costing \$75,000 will be sustained by the House and by the country. On railways and canals the increase is \$76,268. This is for repairs, which in many cases will be somewhat extensive during the approaching year, and enlargements. There may be a question whether a portion of this sum should not be added to capital; but it was considered best, under all the circumstances, to ask Parliament for that sum, and to be charged against income. The estimated Post Office expenditure is increased by \$91,500. As will be seen by last year's Estimates, we asked for an increase then, but I am happy to be able to say that while in 1879-80 there was a considerable increase in the expenditure on the postal service, there was also an increase in the revenue, although not quite equal to the expenditure. During the present year there is an increased income expected from that source; and you will observe that the estimate of income mentioned by me a few minutes ago was \$1,300,000, which is a sum considerably in excess of any amount we have yet received from that source. Now, Sir, these items I have named make altogether \$776,944, as against a total increase, including the Supplementary Estimates, of \$884,000. When we come to these items, Sir, and ask the House to vote them, we will be in a position to state more fully than I have stated just now, our reasons for asking Parliament for them. Now, Sir, I have gone into the income and expenditure of 1879-80, the expected income and expenditure for 1880-81, and the estimated expenditure and income for 1881-82. Hon. gentlemen may ask if, with the estimated surplus for the present year of \$2,000,000, and the estimated surplus next year of \$1,500,000, we propose, in the resolutions we are about to lay on the Table, any great reduction in the Tariff. My answer, Mr. Speaker, is that the propositions that we are now about to submit for the consideration of

Sir LEONARD TILLEY.

the House, with reference to the amendment of the Tariff, are mainly for the purpose of placing a number of articles, that are now subject to a 20 per cent. duty, and are raw material for certain manufacturers in the free list. The resolutions also provide for the increase of the duty on some manufactured articles, where the Government feel that it is desirable that additional protection or support should be given to those particular industries. There is, also, a reduction of duty on two or three articles that are to the manufacturer raw material, in order to place them in a better position than they were before. There are resolutions for the purpose of smoothing—if I may use the term—the working of the Act or of the Tariff, to remove the difficulties which have been found to exist in working out this Tariff and secure uniform action, by all the officials throughout the Dominion. We found that varied rates have been fixed by different officials on the same article, and it became the duty of the Government to see if, by changing the wording or classification of the goods they could not remove what I admit to have been an irritation and annoyance to importers. I know that last Session we removed a great many of these, and I trust the resolutions now about to be submitted will remove many more, if not the whole of them. But these resolutions will not materially affect the Tariff, except, perhaps, in reducing the amount to be received, but immaterially. The Government considered the question whether it was desirable, in the present state of things, to ask Parliament to take the duty entirely off certain goods or reduce the duty on others, and so materially reduce our receipts. After giving that matter full consideration, it was decided—in view of the fact that at the present time the effect of this Tariff, or National Policy as it is termed, has not been fully developed, and we do not know as these manufactures increase and grow in the country, whether they will give back through their employes an equivalent for what we lose on their products; we do not know what will be the effect of the rapid extension, of the manufacturing industries of the country—we thought it desirable, on this ground, to make no proposition for a large reduction of the Tariff during the present Session. More than that, when the Tariff was brought down in 1879, in was stated distinctly that the Government was willing to renew the Reciprocity Treaty of 1854, and as an expression of the feeling of this House, they gave the Government power to reduce *pro rata* the duty that we now collect upon the raw material, such as coal, lumber and grain, and everything of that kind in precisely the same proportion that the Government of the United States, or Congress, might think proper to reduce their duties, and even, if necessary, to remove them altogether. Well, Sir, we know that during in the last Session of Congress—and renewed this Session—petitions were sent to Congress to appoint a Commission to confer with the Canadian Government in reference to this matter. We do not know whether anything will grow out of that or not. It may not result in any proposals being made to the Imperial Government on the part of the United States authorities, but the carrying out of such a policy would largely reduce the revenue we now receive from coal and other articles now contributing largely to our revenue, and as long as there is a possibility of that taking place, it would be impolitic for us to ask the House to reduce the Tariff. We thought it would not be injurious to be able to show in two or three years that we had a surplus of two and a half or three million dollars. It would not affect our credit abroad, certainly. These are the reasons which decided us at present not to come to Parliament and ask for a reduction in the Tariff. If there is no chance of these articles being made free, if there is no chance of our natural products having a free market in the United States, if we find that in addition to the \$300,000 required for interest on our expenditure in

the construction of the Pacific Railway we have a handsome surplus, I need not tell hon. gentlemen that we shall be only too glad to relieve the people of taxation, whether to the extent of half a million or a million of dollars. But at present we feel that it would be unwise and undesirable to do that. I think, from the facts I have submitted with reference to the state of the revenue up to the present time—facts shown by the papers laid upon the Table an hour since—that there can be no question as to the revenue producing power of the present Tariff and its ability to pay all the requirements of the country. That being established, then comes a very important question, whether, as it is proved to be a revenue producing Tariff, it is also a protective Tariff. Our friends opposite, as is well known in this House, discussed for some six weeks the Tariff submitted in 1879. They took strong objections to many of its provisions. They met us with a statement that the Tariff must prove a failure in one or the other respect, either as a revenue producing Tariff or as a protective Tariff. I desire to ask the House for a few moments to consider—from the evidence we have all had from our every day observation, as we have necessarily from day to day and week to week been brought into contact with the manufacturing industries of the country—whether this tariff has not given a great impetus and stimulus to the manufacturing industries of the country. This Tariff has now been in force since March, 1879, and I have given its operation careful personal consideration. I have done more. I have endeavored to obtain reliable information from every part of the Dominion as to its working, and as to the effect it is producing upon certain industries, as to the new industries which have been created, and the old ones that have been revived, and as to the general impetus it has given to the manufacturing industries of the Dominion. I do not hesitate to say that those inquiries have resulted in the most favorable returns, and in the strongest possible evidence of success. I know there are hon. gentlemen in this House who will say that I and my friends are too sanguine upon this subject. I have therefore prepared a few facts to present for their consideration. I would ask them how it is possible that the trade returns and other evidence presented to us could show such largely increased importation of raw material, if our manufactures had not largely increased. Let me, Sir, in the first place, call the attention of the House to what is in my judgment one of the strongest evidences possible of increase in our manufacturing industries in this Dominion. We know there are certain industries that do not require fuel to carry them on as steam power is not used. But in a large portion of them steam power is required. I wish, therefore, to compare the consumption of coal in 1878-79 with that of 1879-80. In 1878-79 we imported of coal 889,740 tons, and of Nova Scotia coal we consumed 554,603. I ascertain this by taking the whole number of tons of Nova Scotia coal sold, and deduct from it the number of tons exported, the balance being the amount consumed in the Dominion. This makes a total of 11,444,343 tons altogether consumed in Canada in 1878-79. This increased importation of coal was one of the elements that I did not calculate upon. I was not sanguine enough when I made my statement in 1878-79. I supposed that the consumption of Nova Scotia coal would so increase that there would be less importation, and consequently less revenue upon this article. But I find that in 1879-80 we imported 973,778 tons. We consumed of Nova Scotia coal 811,719, making the increased consumption of coal in that year over the preceding year of 341,154, the increase in Nova Scotia coal being 257,116. That bears very strongly to my mind, upon the very subject we are discussing as to the effect of this Tariff upon the manufacturing interests of this Dominion. I desire to give a little further information, because I consider it pretty strong evidence. I may say, with reference to the cotton manufactures, that they have very

largely increased. We have several new factories started and many of the old ones have been enlarged. The returns submitted to me show that we are employing to-day, in the cotton factories, 1,850 hands more than we were when the Tariff was changed. The best evidence we have outside the evidence now before me, is that the products of the cotton mills have been increased about one and three-quarter millions a year. And it is said that the enterprise has not been ruinous to those engaged in it, and I am glad of it. I know there was some fear expressed, that so rapidly was this industry being developed, that by-and-bye, cottons would be so cheap that the men who had capital invested in the factories would be ruined. My inquiry presents the facts I have stated, that the products of the factories have increased a million and three-quarters a year, and we are now employing 1,850 hands more than last year, and that is evidence of prosperity that cannot well be gainsaid. Gentlemen may say: "But your returns are not right. You have been in communication with parties interested in this enterprise, and they have given you large figures, or if you visited the factories yourself, (as I heard it said in the case of one place visited) the men were taken from the lower floor to the upper floor to make an exhibition." However, I am pretty confident that there was no ground for that statement. It might be said, however, that my calculations were wrong. But take the Trade Returns, and what do we find? We find that in the last eighteen months the imports of raw cotton—as we produce none in the country, the amount imported gives a fair gauge of the extent of manufacture—increased \$871,473. Now, Sir, the increased value of this material when manufactured is admitted to be from \$1,450,000 to \$1,525,000, that is, this raw material with the labor of manufacture added, is in value \$2,396,564, representing the increased value of the products of this industry in eighteen months. That bears out the statement furnished me from other sources. Well, Sir, a word with reference to this cotton. It may be said that the country pays very heavily for this industry; it may be said that it increases the taxation direct and indirect of the people of Canada. I stated here in my place in March last, that I held in my hand a list of prices at that time of certain descriptions of cottons made in the Dominion of Canada, and those prices showed that they were sold in Canada as cheap as they were sold in manufactories in Massachusetts at that time. I believe there is a difference now, but it does not equal upon this class of goods the revenue formerly collected upon it. I have received a list of prices of a new branch of that industry—that of knitting cotton—established in my own city. The manufacturer is supplying, and will supply, every part of the Dominion, and his prices compare pound for pound, cent for cent with those of the New Hampshire manufactories. Well, Sir, the next article we come to is the article of wool. Now, Sir, the result of my inquiry with reference to the woollen industry is that the products of wool during the last year in Canada have increased \$2,000,000; and I am authorized to state here that the great bulk of the woollen goods manufactured in the Dominion of Canada in the last year are selling to-day cheaper than ever before, taking into account the price of the wool. Now, Sir, if my statement be correct, the Trade Returns will show something like the same result. The statement is not as perfect or as reliable as in the case of cotton. Of course, cotton is not produced in the country, but wool is; and we consequently see that the result of the operation of this Tariff, is not only to increase the importation of the latter article, but to increase the demand for what we produce in our own country. The increase in the wool, imported during eighteen months, amounted to \$1,153,587, and the increase in the value of woollen goods produced in the country was \$2,500,000, leaving an amount equal to \$1,346,413 to

represent the increase in labor, capital, etc., expended and invested in the industry. This result corresponds, as nearly as possible, with the estimates, from eighty mills in the Province of Ontario, twenty in the Province of Quebec, and some in the Maritime Provinces, showing an increase in the products, in all, of about \$2,000,000. We now come to another raw material, which forms an illustration of the increase, which has taken place under the Tariff, in the value of the articles manufactured in the country. I refer to the article of hides. The increased value of the imports, for eighteen months, was \$807,297, and in the value of the manufacture of \$1,614,000, leaving for labor, bark—which is practically labor—and capital, a sum of \$806,703. The result of my enquiries, in so far as I have been able to obtain information from the leading industries, was all in this direction, and showed in effect what I have stated. The increased value of pig iron entered for consumption, during the eighteen months, was \$303,189. Now, Sir, this is only an approximate estimate; it is, moreover, a low estimate; and when we take into consideration, the quantity which enters into the manufacture of stoves, sewing machines, etc., the value of which when manufactured is \$1,000,000, we find the difference between the value of the raw material and the manufactured article to be nearly \$700,000, all of which goes to pay for labor and capital invested. Now, Sir, we come to a question which has, perhaps, received more attention than any other arising out of the present Tariff—an industry which is spoken of by our friends opposite as one of the 'pet industries of the Dominion of Canada. The Tariff largely increases the manufacture of the article produced by this industry, and—so it is alleged—reduces materially the revenue to be derived from it. I refer to the article of refined sugar. Sir, I wish to make some statements to the House on the subject of this so-called favored industry, in the course of which, I think, I shall be able to show that it, above all others, is deserving of our support, not only in affecting the industry itself, but as affecting the general interests of the Dominion of Canada. I have seen it stated since the Trade Returns were laid on the Table of the House, that it is quite clear from the statements contained therein, that this is a losing industry for the country, because it is shown that in 1878-79 the value of the sugar imports was \$5,650,677, and the duty derived from it \$2,554,582, while the value of the imports of 1879-80 was \$3,904,287, and the duty collected \$2,026,000. The question is asked: how can you explain the decrease of the value of the imports and the decrease of the revenue, unless the money goes into the pockets of the refiners. I will endeavor to explain it, and I will leave it to the hon. gentlemen opposite to show if I am wrong. If there is any fallacy in my statement, I would like to have it exposed. We find that the value of the imports of 1878-79 and the duties collected, were increased from the very cause I referred to—that is to say, from the large importation, and the withdrawal of an enormous quantity of sugar from bond, which took place during the period immediately before the new Tariff came into operation. We find, on looking over the imports of January, February and March, 1878, that we imported a little less than \$1,000,000 worth of sugar, while in 1878-79 during the same period, we imported \$2,000,000 and the result was that we paid \$225,000—that is, the half of \$450,000 additional collected upon importations of 1878-79—which belonged to the next year, and we paid half a million dollars for sugar that was consumed in the next year. If, therefore, you will take half of the extra million dollars received during these three months, and add it to the value of the imports of the following year, we have \$4,404,287, as against \$5,150,677 of the previous year. Then, so far as the revenue of the year is concerned, if you carry to the credit of the last year the \$225,000 received the year previous you have a revenue of \$225,692

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or \$77,890 less than the year previous. Now, Sir, the difference of the value of the imports, as shown in this statement, would be \$746,390. It may be said that this amount is in the pockets of the refiner; I will endeavor to show where it has gone. I want to explain where this amount has gone. Now, you will recollect that the duties collected in 1878 and 1879, were upon refined sugar manufactured to a large extent in the United States and imported from there, and, therefore, we paid duty upon the labor of the refiner of the sugar upon which freight was paid, and upon other charges and expenditures in the same connection, which increased the value, under that operation, to \$746,390. Where did it go to? Freight on 38,000 tons of sugar, at \$6.50 per ton, and which we received no portion of, but was, of course, paid the refiners in the United States, where it was taken for the purpose of being refined, and where they paid it. That \$247,000 was paid last year to the vessels that brought that sugar mainly to the ports of Montreal and Halifax. There were 24,000 tons of coal used in refining sugar in Canada last year; which, at \$4 per ton delivered at the refineries, amounted to \$96,000. We manufactured in Canada last year 300,000 barrels, which, formerly, were manufactured in the United States, at 32 cents per barrel, amounting to \$96,000. Wages of 400 hands employed in refining that sugar, \$160,000; wharfage that went into the revenue of the Commissioners at the Port of Montreal, and cartage mainly paid to the people of Montreal, \$27,000; animal charcoal and other expenditures for refining material, depreciation of stock, etc., \$40,000; interest on investment on the two establishments then in existence, \$49,000; insurance on the buildings, \$12,000; one and half per cent. as insurance on the sugar that was imported, \$7,500. You will find that these added, make a total of \$794,500, as against the \$746,390 stated before. It will be difficult, until the Trade and Navigation Returns for this year are before Parliament, to compare the figures of last year with those of preceding years, but for the six months of the current year for which we have returns. We find that the quantity imported during the first half of the year was 2,915,798 lbs. against 2,061,344 lbs. for the last half of the preceding year, and that the duties collected for the first half of this year amounted to \$1,398,093, against \$1,101,680, showing an increase of \$296,413 during the first half of this year; and if we have but two thirds of this sum during the balance of the year, we shall have more revenue out of sugar this year than in any previous year since the Confederation of the Provinces. Under the operation of this Tariff we have \$749,500 distributed amongst the owners of our vessels and laborers—

Sir ALBERT J. SMITH. Oh no; foreign vessels.

Sir LEONARD TILLEY. I am reminded that there were some foreign vessels. A considerable portion went to our own vessels, and there will be more this year, for a refinery is being established in Halifax, and, I am happy to say, there is one already in operation at Moncton. Here I may say, with reference to the Maritime Provinces, that having no refinery there in the past, the only direct trade with the West Indies has been the sugar brought to Halifax and sent by train to Montreal, but now, with the refinery in Halifax and another in New Brunswick, there will be a change. We paid to vessels coming to Canada, \$247,000; to our coal industries, and for this industry alone for 24,000 tons, \$96,000; 300,000 barrels manufactured, \$96,000, wages of 400 hands, \$160,000. What does 400 hands mean? It means 200 tenements occupied in the city of Montreal that would have been vacant; and not only that, you have these men, who are customers for every branch of trade and industry in that city. And now I am happy to say it extends beyond Montreal to the Lower Provinces. In addition to these we have other expenditures, amounting in all to \$794,500. Hon. gentle-

men opposite may say: "Supposing all that to be true, the people of the Dominion pay more for their sugar than they did under the old Tariff!" That, Sir, is greatly exaggerated. I hold in my hand what I believe to be a reliable statement with reference to granulated sugar during the past year. I have here the prices during every month of 1880 in the United States and in Montreal. The prices in the United States averaged \$6.52. Add the old duty, (because I am making the statement under the estimate of the old duty), 25 per cent. \$1.63, 1 cent per pound, \$1, and all other expenses of every kind, 35c.—that brings the price of granulated sugar to \$9.50, as against an average price during the past twelve months of \$9.75, or an increased cost of 25 cents per 100 lbs., as between the present price and what it would have cost to import it under the Tariff of 1878. Now, I am also informed, on what I consider reliable authority, that the yellow refined sugar is now in the market to-day by the refiners and sold at from 14 to 19 cents per 100 lbs. less than it could be imported from the United States for, under the Tariff of 1878. I may go further, and say that grocery sugar No. 14 now pays three-fourths of a cent per pound and 30 per cent. duty only, when, under the Tariff of 1878, it paid one cent a pound, and 25 per cent duty.

Sir RICHARD J. CARTWRIGHT. No.

Sir LEONARD TILLEY. I speak of that class of sugar of which I had a sample a year ago—a very fair grocery sugar. That sugar is imported to-day at a quarter of a cent per pound less duty than it was in 1878, with five *ad valorem* addition, and the packages containing per cent. it being free of duty when brought directly from the West Indies. Therefore, that class of sugar is nearly a quarter of a cent per pound less to the consumer to-day than it was in 1878. It is quite true that the *ad valorem* duty on raw sugars used by the refiners was increased from 25 to 30 per cent. in the Tariff of 1879, but there should be no complaint if the refiners have to pay that: it does not amount to that because the practical effect, as there is no duty on the packages as in 1878, is, that it does not cost a great deal more than under the Tariff of that year. Therefore, looking at it from this standpoint, if the refined sugar, under this statement, costs an average of 25 cents a hundred more, and if yellow sugar of average quality is sold to-day at from 14 to 19 cents per hundred less than under the old Tariff, and No. 14 can be had for a quarter of a cent less per pound, then the people who consume sugar in Canada cannot be paying a very large sum over and above what they paid before. But we have, in addition to that, an industry created which represented \$750,000 in toto last year, which will increase and grow, amounting during the present year, probably, to \$1,000,000; and what is more, the vessels that brought that sugar into the port of Montreal (because it was confined to Montreal during the last year) and brought the coal there necessary to refine it, amounted to 62,000 tons. What effect had that upon the general industries of the country? It had this effect: that while it gave a large increase of revenue to the port of Montreal, it gave a largely increased business to that district of the country. But it did more. The fact that those 62,000 tons of shipping were at that port, led to the shipment from it of a larger quantity of grain and foreign products from the United States, because there was the tonnage and freight at a reduced rate. The competition of those 62,000 tons did diminish very materially freights at Montreal last summer; and every ten cents saved in freights on a barrel of flour of the product of Canada left just that much more in the producers' pockets; and every half cent reduction in the freight of a bushel of wheat went into the farmers' pockets, as did also every ten cents saved in the carriage of a box of cheese; and so with all similar reductions in freights of bacon, pork and other products. If, by the oper-

ation of this Tariff, we attracted, last year to that port 62,000 tons of shipping, that otherwise would not have been seen within it, I believe that, indirectly, the whole Dominion, and especially Ontario, experienced from it a great and decided advantage. But during the present year this advantage will be extended to the Lower Provinces, and, with our sugar refineries in operation in Halifax and Moncton, what will be the result? There will be a large increase of trade between those Provinces and the Dominion generally and the West Indies. When our vessels going to the West Indies have a return cargo of sugar and other articles, they will be able to carry away from our ports fish and other products at lower rates, which will give us the benefit of greater employment for our own vessels besides. If, then, we should pay 25 cents per cwt. more on our sugar, the agriculturists of the west, and lumber and fish merchants of the Lower Provinces, will have an advantage equivalent, or even greater, in that increased trade with the West Indies, reduction of freights and larger exports from the Lower Provinces and Province of Quebec. The next point to which I shall call attention is the increase of our manufactures throughout the country. We see new furniture factories, and new establishments for the manufacture of locomotives and rolling stock, one of which I had the pleasure of visiting. This shows the increase of enterprise in the country. With reference to one new industry, the manufacture of beet root sugar, my colleague beside me (Mr. Mousseau) has just handed me a cablegram from Paris, which he has received to-day. I see my hon. friend opposite (Sir Richard J. Cartwright) smiling, as much as to say these telegrams are very convenient. No doubt they are very convenient sometimes. But pretence is not necessary in this matter; for it is an established fact that the beet root sugar industry is a veritable enterprise. I may say, in passing, that the Government propose submitting a resolution to the House, asking it to extend the resolution passed in 1873, exempting any beet root sugar factories from payment of duty for eight years; now only two years have to run, and our intention is to extend the period eight years from July next. The machinery for the factory referred to in the telegram has been purchased in Paris. I come now to the furniture factories, in regard to which I find a considerable increase, though not so large as some of our other industries. With regard to locomotives and rolling stock, the amount required by our railway companies, and largely by the Government, has been ordered, and is being manufactured in the Dominion. Look, for instance, at the Grand Trunk Railway Company alone. You need only enter their workshops at Montreal to see what a wonderful impetus has been given to that particular industry; and at every city you will find similar evidence of the beneficial operation of the National Policy. You will see, moreover, one factory for cars at Cobourg, another at London, and more in other localities. But under the old Tariff they were imported from the United States. In the production of agricultural implements, waggons, and so forth, the last year or two witnessed a large increase. The makers complain that they make no more profits than before, but we find the quantity largely increased. The returns for Manitoba show a great increase in the purchase of Canadian manufactures and products since 1872, an increase that is marvellous. In that year their value reached \$390,000, and last year \$3,600,000 worth of the manufactures and products of Canada were imported into Manitoba and the North West, a considerable portion being agricultural implements. A new market has been opened for our wares in that country, from which those of the Americans have been shut out. In the language of a gentleman I met at Kingston in April last, and who formerly lived in Canada, but now resides in St. Paul, Minnesota,—our Tariff has killed his business with the North West. The boot and shoe industry has increased

25 per cent both as to the amount produced and the number of the employes. We find them, moreover, working full time, while, before, they worked but two-third time. The manufacture of earthenware is constantly increasing, and that of hardware, including stoves, shovels and hoes has received a new impetus. Among the new factories established, are two for silks at Montreal; they weave magnificent silks, and are preparing to make ribbons of every description. Paper manufactories are also increasing in number, and producing more than ever, wall and colored papers inclusive. We have a new paint manufactory on a large scale, established in Montreal. The organ and piano industry is largely increasing everywhere, and the increased demand at home which is something marvellous, is one indication, at all events, that times are more prosperous; for such articles are purchased only when people can afford it. Then we have lock and brass works of various kinds, and we, for the first time, are manufacturing plated ware—one factory at Hamilton, another at Montreal. There is, in addition, corset factories employing 500 hands, and one ready-made clothing establishment, alone employing 900. Soap and other manufactories are increasing all the time, all multiplying the number of workmen, and increasing their wages. From a careful estimate it is now established that, in the last year, the increase of raw material, in value, by the application of machinery, capital and labor, throughout the Dominion, was \$6,000,000, and the number of persons employed has been augmented 14,000, representing, with their families, a total of 42,000. About \$1,000,000 passes to the hands of the people engaged in those industries, which money is generally distributed. If, of those 14,000, 7,000 are occupiers of houses and tenements, are they not building up a new city, practically, in a year—a city of 40,000 inhabitants, and adding 20,000 more, because we do not import the half of what they consume, which gives increased employment to our own people. We are thus practically building up, in a year, a city of 60,000 inhabitants, with the capital expended last year in this way, of \$5,000,000 or \$6,000,000; we are establishing new manufactories of various kinds, apart from other expenditure, to the advantage of our people, and all these are the results of the National Policy within eighteen months. I would ask the House whether, under these circumstances, the most sanguine supporter of this policy expected it would have accomplished so much in that time? The leader of the Opposition stated that I intimated my intention of visiting the agricultural districts. He must have seen that I visited some of them during last summer, but not so many of them as of the manufactories. Unfortunately for my plans in this respect, three members of the Government were absent in England a portion of last summer. Some of us had to keep watch and ward, and were unable to be absent from Ottawa as much as we desired. But what did we find? Some few facts are patent upon the face of your enquiry every where we go. I know it is a vexed question, and hon. members on both sides of the House argue it from different standpoints; but it is clear that the effect of the Tariff has been to increase the price of flour, wheat and other cereals, and, from the most careful enquiry that can be made, I have arrived at this estimate: that flour is increased to the consumer in Canada, ten cents per barrel. That is the calculation I make; there must be some speculation about it, but that is the closest estimate I can obtain. The increase in the price of wheat in June and July, in Canada, was unquestionably caused by the Tariff. There are periods of the year after the harvest when we have an abundance, when in spring a large portion has been manufactured, and owing to the increased demands of mills the prices rise. When there is a surplus, and when a market must be sought elsewhere for the wheat, prices may not be materially affected, but at the same time there are periods in the year when the growers obtain a benefit, as they did last spring with respect to wheat and rye. I find from investigation that there has been in part of the

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Dominion, and along the banks of the St. Lawrence, a new inquiry enquiring for that article, and that the distillers of Ontario and Quebec instead of using corn are asking for and buying rye, giving growers an increased price as the result of the duty on corn and rye. The duty on corn has increased the production of corn in Ontario, especially in the western portion of the Province, whatever may be said with respect to other portions of the Dominion. With regard to oats, it is estimated that the result of the Tariff has been to increase the price of oats in the Maritime Provinces, and in this part of Canada three cents per bushel to the consumer—and, if it is any comfort to hon. gentlemen opposite, I admit the lumberer pays his share of it. What did I further find? That no part of the Tariff is more acceptable to the agricultural population than the increased duty imposed on fruit and fruit trees. Under this system, persons who desired to obtain fruit in the early season, when Canadian fruit was not fit to use, could afford to pay the increased duty. In the season, when we have a surplus, and we had a large surplus last year, it is admitted that if it had not been for the duty imposed, our last year's fruit crop could scarcely have been sold, and that, though it had to be sold at low figures, yet the financial result would have been infinitely worse had there been no protection. With respect to bacon and ham there is now a protection to the farmer of 25 per cent. I may here say that some of my hon. friends behind me have been urging on the Government to increase the duty on salt pork. That article enters largely into consumption by the lumbering interest, and that is an interest which we cannot legislate specially in favor of, but against which we desire to tax as lightly as possible. We have not, however, seen our way clear to ask to increase the duty on salt pork at present; but I may say that in looking over the duties, we find that about nineteen or twenty per cent. is the duty on pork and other meats. Then, see the effect of the increased consumers in the home market of vegetables, poultry, eggs, fresh butter and cheese, and everything that comes into the home market in the neighborhood of the manufacturing centres; they receive for all those which may be considered perishable articles and cannot be exported to Great Britain, increased prices as the result of the increased wages received by the increased number of people employed in manufactures and their prosperity. In 1879 and last year, especially in 1879, very grave objections were brought against our Tariff by hon. gentlemen opposite, in a very plausible manner. If some of those objections had been borne out by experience, the fact would have had some effect on the Government; but I am happy to say that, after examining these objections carefully, evidence has proved that the fears entertained by hon. gentlemen opposite were without foundation, and that we stand here to-day with our policy vindicated in the face of the country. One of the objections put forward, was that the Tariff would reduce the foreign exports *via* Montreal and Quebec and the St. Lawrence, by the imposition of custom duties on raw material, or upon wheat or flour and products of foreign countries passing over our railways and through our canals to Europe, by the necessity for bonding such goods. If that could have been established there would have been some ground for considering how the fact should influence our conduct in the matter. But what are the facts? I glean from the official records that during the summer of 1878, the open season from May to November, there were exported foreign products, *via* Montreal, of the value of \$6,743,771; in 1879, \$9,439,727; last summer \$11,148,509. The hon. Minister of Customs made arrangements by which the products of the Western States would pass through without let or hindrance, under regulations adopted by the department, and no inconvenience whatever was felt. Now, let me say here that in addition to this, I think the increased export was due to a large extent to the increased tonnage that was there. I recollect

when in St. Catharines in the autumn of 1879, the owners of vessels on the canal told me that the limited business on the canal was caused by the limited tonnage at Montreal; that if they shipped their grain or flour at that port, they might have to pay very high freights, and they selected United States ports in preference; and I say that any policy which will increase the tonnage at Montreal, will relieve this difficulty and give a larger trade to our railways and canals. Another objection was that the imports of English manufactures would decrease while the imports of those from the United States would increase. In reply to that, I will simply read a tabulated statement which I have in my hand, showing exactly what has been the course of trade between Canada and England, the United States and other countries respectively since 1874-75. In 1874-75 the importations for consumption from Great Britain was \$60,000,000; from the United States, \$50,000,000; from other countries, \$8,000,000, or 50 per cent. from Great Britain, 42 per cent. from the United States, and 7 per cent. from other countries. In 1875-76, the figures were: Great Britain \$40,000,000, or 43 per cent.; United States, \$46,000,000, or 48 per cent.; and \$8,000,000, or 8 per cent. from other countries. In 1876-77, Great Britain, \$39,000,000; United States, \$51,000,000; other countries, \$5,000,000, or 41 per cent. from Great Britain; 53 per cent. from the United States, and 5 per cent. from other countries. In 1877-78, from Great Britain, \$37,000,000; United States, \$48,000,000; other countries, \$5,000,000, or a percentage of 41 for Great Britain, 53 for the United States and 5 for other countries. In 1878-79, the amount from Great Britain was \$30,000,000; from the United States, \$43,000,000; for the great bulk of the imports that were brought into the country, in February, 1879, came from the United States—such as gray cottons, refined sugars and a number of other articles. In that year, we imported from other countries, \$5,000,000; and the percentage for that year was 38 per cent. for Great Britain, 54 per cent. from the United States, and 6 per cent. from other countries. In 1879-80, we imported from Great Britain, \$34,000,000; from the United States, \$29,000,000, and from other countries, \$7,000,000, or a percentage of 48 from Great Britain, 40 from the United States, and 11 from other countries; or, in other words, for the first time since 1874, the importations from England were in excess of those from the United States. The next argument of these hon. gentlemen was that the Tariff would create an unfriendly feeling between England and Canada and damage our credit. Let us see what the answer is upon that point. I have in my hand a little pamphlet published in England, showing the exports from Great Britain to other countries, and I find that during the present calendar year the exports from Great Britain to Canada have increased by £1,200,000 or \$5,000,000. This English writer shows that our trade has increased with that country instead of showing a falling off, as hon. gentlemen predicted would happen under the trade policy of the Government. As a consequence no unfriendly feeling exists. Then, Sir, as to the effect upon our credit. I was able to show last year that our 4 per cent. securities stood at 95½ and 96, as compared with 90 or 91 and 92 in 1873, and, to-day, I find that, with the accrued interest at 1½, they are 104½ and 105, or an increase of 7 or 8 per cent. The hon. gentleman opposite—my predecessor as Finance Minister (Sir Richard J. Cartwright)—may say: "That may be true, but you have not increased your securities in the same ratio as the United States." Now, on the 30th December, 1876, 4½ United States bonds, funded, stood at 103½; and on January 1st, 1881, their 4½'s stood at 115½ and 115¾. Our securities in 1878 were worth from 89 to 91, while at the present moment they are quoted at 104½; a fact which shows that the increase is at least equal to that of the United States securities. But I desire to allude to a fact of still more importance. In 1878, New South Wales securities

stood higher in the money markets of England than any other colonial securities in the world; they were actually 5 per cent. in advance of ours at that time. To-day ours are a little in advance of theirs, a fact which will show the relative credit of the two countries, though I admit that the increase is largely due to the abundance of money. But at any rate there is the fact: that our securities have increased relatively to those of New South Wales by five per cent. during the last two years. I come now to another point, namely, the predicted increase of taxation upon the consumer. It was stated in 1879 by hon. gentlemen opposite and repeated last year, as well as during the recess, that the effect of this tariff was to add to the taxation of the people of Canada a sum of \$7,000,000, while only \$2,000,000 would be paid into the public Treasury. I would like to ask the hon. gentleman how that could possibly be? I put the question not only to him, but to hon. gentlemen on both sides of the House. If, say our imports have been diminished by \$6,000,000, add this to the \$71,000,000 which represents the amount entered for consumption last year, and we have \$77,000,000 as the amount representing our importations, if we had not manufactured an increased quantity of goods at home. The average Tariff for the last year has been 20 per cent. or one fifth, which, upon the \$71,000,000 will amount to a sum of about \$14,000,000. The additional duty upon the \$6,000,000 (which we will estimate represents, the reduction of imports) would be, if the goods had been imported instead of being made in this country, \$1,200,000 instead of the \$5,000,000 which the hon. gentleman named. But when I point to the agricultural implements, a large portion of the cotton and woollen goods, a large portion of the iron manufactures, and many other articles with regard to which hon. gentlemen say the Tariff is not popular with the manufacturers because it has not increased the price, then I say that but a very small portion of the \$1,200,000 is paid by the people of this country as a result of the change in the Tariff. As to this contention by my predecessor (Sir Richard J. Cartwright) that a tax of \$5,000,000 is imposed upon the people, and that \$2,000,000 goes into their pockets, I confess I cannot understand it, and I hope that the hon. gentleman will so explain it, that it may be understood by the House and by the country.

Mr. PLUMB. They tried to explain it in West Toronto last summer.

Sir LEONARD TILLEY. Another objection to the Tariff was, that it was going to break up the Union by distributing the taxation of the country unequally on the various Provinces. In the language of my hon. friend from Centre Huron (Sir Richard J. Cartwright), the smaller Provinces would pay a much larger sum proportionately than the people of Ontario and Quebec. The hon. gentleman referred particularly to the Provinces by the sea, his sympathy for us was unbounded, and I thank him for that sympathy. But let us see what foundation there was for it. It would, the hon. gentleman said, break up Confederation by imposing unequal taxation; it would disserve this admirable superstructure which we are all proud of; it would destroy that union which the country, as a whole, rejoiced to know had been accomplished and which was in the interests of the whole country. But let us see how unequally this taxation, during the last year, under this Tariff, has borne on the different Provinces. I have prepared from the Trade Returns some tabulated statements to which I desire to draw the attention of the House, and which show that if the Tariff has borne more heavily upon one section of the Dominion more than another—and there has been, taking all things into consideration, not much difference—it appears to have borne more heavy upon Ontario and Quebec than upon the smaller Provinces. The increase in the rate of duty on goods entered for consumption in the several Provinces, under the new Tariff, is as follows:

Ontario and Quebec, 3.76 per cent.; Nova Scotia, 2.55 per cent.; New Brunswick, 2.18 per cent.; Manitoba, 2.12 per cent.; British Columbia, 5.08 per cent. British Columbia seems to have paid an increased percentage, and I will explain briefly one of the causes that led to that; perhaps it may be remedied this Session to some extent. Prince Edward Island, 2.21 per cent. In these figures the fact is not taken into account that in the Province of Quebec last year a large portion of the revenue was received on sugar refined. In New Brunswick \$45,000 less sugar was entered than in the year previous; instead of being imported from the United States, it was imported from Montreal, duty paid and taking that into account the balance against Quebec and Ontario would be reduced. The average of the total increase was 3.60 per cent. I now come to the statement made in the Trade Returns by the hon. Minister of Customs showing the rate of taxation per head of the population in the different Provinces, based on the population of 1871. Taking the population of 1871 as the basis, it gives a higher rate per head than our present population would give; but applying the same rule to all the Provinces, the ratio will be the same in proportion. In Ontario and Quebec, for 1878-79, the rate was \$3.51½ per head, and for 1879-80, \$4.08½ per head, an increase of 57 cents, arising largely from the duty paid on sugar. In Nova Scotia, for 1878-79, the rate was \$3.05, and 1879-80, \$3.14, and increase of 9 cents; in New Brunswick, for 1878-79, the rate was \$3.67 and in 1879-80, \$3.05, showing a decrease of 62 cents; in Manitoba, the increase was 78 cents; in British Columbia, though the percentage on the imports was greater, the decreased rate per head was 68 cents. The rate for Prince Edward Island decreased 8 cents; and the average increase for the whole was 33 cents per head. Instead, therefore, of the smaller Provinces paying more in the shape of percentage per head of the population than the larger Provinces, it will be seen that, even making allowance for distributing the sugar duty collected in Montreal over all the Provinces, the amount paid by the smaller Provinces was less than was paid by the larger, if I except British Columbia, which, according to one mode of calculation, pays more, and according to the other has the advantage. If that be the case, the Tariff is not calculated to break up the Union on that head. My experience has been, that Ontario and Quebec have always been willing to deal liberally with the smaller Provinces, and I believe, no matter what party may be in power, they will always continue that policy, so that they need not be alarmed with reference to the operation of this Tariff. In the next place, it was said the Tariff was going to destroy the shipping industry. Well, I know we cannot legislate very materially to protect that interest; but I will tell you what we did do. We imposed the taxation in such a way that the shipping industry would not feel it, but would be in a better position than before. I have here a return of the drawbacks paid from December, 1879, to December, 1880, to the different ship-builders; showing an amount paid of \$60,601.33. In the whole of this return, you will find that, while 75 cents per ton is given on the best class of shipping, there is but one application asking for a return of the duty paid; that amounts to one dollar per ton; whereas, before, there was a considerable amount of duty that had to be paid and there was no drawback. I am willing to submit that statement to prove beyond doubt that the shipping interest of the Dominion is to day in a better position than under the former Tariff. The question of the lumber interest I have carefully gone into. I have made a calculation to show what it cost to produce 2,000,000 feet of logs, including in the calculation the material, the feed, the oats, the pork, and everything of that kind. Deducting the reductions in duties where the duties have been reduced, and adding them where they have been increased, the net increase does not

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amount to one per cent. on the cost of production of 2,000,000 feet of logs at the tail of the mill, while on the imports the average increase is four per cent. The tariff had to be increased to meet our deficits; every interest was bound to pay its share, but feeling that we could not protect the lumber interest, we felt bound to touch it as lightly as possible. The tariff drives the people out of the country, they say. Well, Sir, I think the exaggerated statements about the exodus are pretty well exploded. I think, after the articles I have read in the Opposition press on this subject, that we shall hear no more of that. The hon. leader of the Opposition the other night, when pressed, read an extract from a speech I delivered in Toronto. I said in that speech, and I repeat here, that there had been an exodus. Still hon. gentlemen opposite say that we have been discussing this matter to show that there has been no exodus. We have never said there has been no exodus. What we say is that there has been an enormous and unjustified exaggeration of it. I am not surprised that the American authorities should strive to lead away the immigration from Canada to the United States, and I doubt not that some of these persons have been paid by the railway companies of the United States, to make these statements in order to lead emigration from Canada to the United States. What are we to think when we find a leading member of the Opposition, and the hon. leader of the Opposition himself, taking up these statements, and when we find the ex-Finance Minister, after the hon. Minister of Agriculture had refuted these statements, replying that these were obtained from official authorities in the United States, and that he himself had made enquiries since they were questioned, and found that they were reliable? I did feel that it was to be regretted that leading gentlemen in the Opposition, and the leading press of the Opposition, should, during the last twelve months, have thought it necessary, in order to damage this policy and the Administration, to make statements and to publish statements to the country that cannot now be verified or sustained. If the object was none other than to gain a petty victory at some election, I feel that it is deeply to be regretted. And when at Stratford, last autumn, I took up the statement made by the ex-Finance Minister with reference to this exodus and stated that I had it from good authority—from the hon. Minister of Agriculture—that by one of the railways the exodus from Canada to the United States, instead of being 90,000 annually, the whole number of through passengers going west from all quarters was but 53,000, the organ of hon. gentlemen at Sarnia stated that I had misled the people in a manner unworthy of a man occupying my position, and called upon me to prove what I had said, or to stand as a gentleman who had made a statement that was, before the country, untrue. Now it appears that the whole thing was a delusion and a sham. But there has been an emigration, and why was it? It was from this cause. The United States became prosperous a year or two before we had introduced this policy and before we had begun to feel its effects here. Wages had increased; strikes followed; and employers came into the Dominion and held out inducements to our people to leave Canada by the offer of high wages, and it was natural that they should not resist them. The depression of the previous five years had produced such an affect that although this policy was inaugurated, it did not, as its opponents said it should have done, restore by magic as it were in one month all the industries of the country to a condition equal to that which it took the people of the United States twenty years to secure, and which had the effect of leading our people away when we had not the means of inducing them to stay at home that we have now. But happily, we have evidence that they are returning to the country. I know many manufacturers who say they cannot obtain men

enough, and while there has been an exodus, the people who left us are returning, and with them are coming many others in search of employment in this country. Just here I may refer to a new objection raised by the hon. member for South Brant (Mr. Paterson) the other day, when he referred to the diminished exports. Why, Sir, to my mind, diminished exports last year as compared with 1878 are an evidence of the improved condition of our manufacturers.

Some hon. MEMBERS. Hear, hear.

Sir LEONARD TILLEY. Yes, Sir, they were driven out of their own market in 1878 by their competitors from the United States, and they either had to find a market abroad, or to close up their establishments; and I have no doubt that in many cases they preferred making a sacrifice to doing that. The hon. gentleman said that there was \$1,200,000 difference between the exports of manufactures in 1878 and those in 1880.

Mr. PATERSON (Brant). A decrease of \$885,000.

Sir LEONARD TILLEY. \$885,000 was the decrease, of which \$700,000 odd was the sale of ships. What was the fact? In 1872, 1873 and 1874 our shipping industry was most prosperous. Many men who had means, and many men who had not much means but had credit, invested in ships. But down to 1878 the trade was decreasing year after year, and in many cases those ships were yielding no profit; and men on the other side of the water who had mortgages on ships, finding that there was no probability of their being paid, came over to New Brunswick, Nova Scotia, Quebec and Prince Edward Island, in 1878, and compelled many shipowners to close up their accounts, and transfer many of their ships, in order to liquidate their debts to people on the other side of the Atlantic. Then, a large number of vessels, in 1878, were sold to Norway. Under a provision of the Plimsoll Bill, our ships were subjected to regulations which were not imposed on foreign vessels, and I know of some parties who transferred their ships to Norway in order that they might not be subject to the requirements of the Plimsoll Bill; and I have no doubt that a great many of the ships said to have been sold to Norway were transferred for that purpose. I admit that in 1880 the tonnage of ships constructed in Canada was less than that in 1878. We know the reason why: there is less demand for wooden ships than formerly, because iron ships are taking their place; and if there is anything demanded of the Government and Parliament of this country, it was that they should devise some means by which the shipbuilders and mechanics engaged in the construction of ships should be kept in the country by providing other employment for them. I say this at the present moment because my hon. friend endeavored, before we had started on our march, to make a flank movement upon us, which I am happy to say, did not succeed.

Mr. PATERSON (Brant). It is because you were so late in delivering your Budget speech—sixty-nine days from the opening of the Session.

Sir LEONARD TILLEY. That is a sufficient apology. The consequences, had the hon. gentleman's statement been delayed, might have been serious.

Mr. PATERSON (Brant). If the hon. gentleman will allow me, I will state that in the 35 articles of which there has been a decrease in the exports, ships are included to the amount of some \$700,000, but in the other articles there is a decrease in our exports of \$733,000.

Sir LEONARD TILLEY. I looked into that matter last night. Taking the exports of the manufactures of Canada for 1878, and those for 1880—in both cases he included ships—it made over \$800,000, taking the whole of the exports, and if we take the ships out, it made a difference of only about \$200,000.

Now, I come to a question in which we are all interested, and that is the general prosperity of the country. I do hear occasionally some of our friends of the Opposition saying: "Oh, well, times are better; they are improved; but then the National Policy has had nothing to do with it." I thank them for that, because it is really something for the country to have the hon. gentlemen opposite say that times have improved in Canada. It has been a long time since they have done that. Now, I have some facts to state which, I think, are calculated to establish pretty clearly that times have improved. Look at our commerce. In 1878-79 vessels inward and outward amounted to 6,088,550 tons; in 1879-80 to 6,786,791, tons, and increase of 700,000 tons; while in the latter period there were 112,525 seamen against 104,390 in the former period. We hear some hon. gentlemen say: "What has that got to do with manufactures?" As I stated before, 100,000 tons of that increase was due to the importation of coal and sugar. The total exports for 1878-79, were \$71,491,000; those for 1879-80, were \$87,911,000, or an increase of \$16,420,000. The annual average excess of imports over exports from 1867 to 1879, was \$20,000,000. Last year the excess of exports over imports was \$1,451,711, the first instance of the kind in the history of Canada. That is due to two causes: First, because we increased the value of raw materials by manufacture, by \$6,000,000, which diminished the value of the imports by the same sum. Then we increased the exports, due partly, I admit, to a bountiful harvest, for which we have great reason to be thankful. Then with reference to the coal interest, as I stated before, the coal producers of Nova Scotia sold in 1878-79, 688,624 tons; in 1879-80, 944,615 tons, or an increase of 255,991 tons. In British Columbia, last year, they exported 204,527 tons, being 30,738 tons more than the year before. The increased production in Nova Scotia and British Columbia, for the last year, was 286,729 tons. Then there is an increase of trade with the West Indies from \$1,033,849 in 1877-78, to \$1,252,429 in 1878-79, and \$3,151,754 in 1879-80. The imports from China and Japan were \$383,676 in 1877-78; \$448,962 in 1878-79, and \$893,911 in 1879-80. Now we come to some other facts, which are tests of the condition of the country. For instance, the value of the stocks of thirteen Banks of the Dominion on the 1st of February, 1879. The paid up capital then was \$38,465,864. The value at the rates at which they were then sold, was \$38,921,015. The value on the 1st of February, 1881, was \$53,237,168, or an increase of \$14,316,153 on the \$38,000,000 of bank stock in the year. The deposits in the Banks of the Dominion, not including Government deposits, were, in December, 1878, \$66,406,516; in December, 1880, \$79,234,416, or an increase of \$12,832,900. The deposits with the Government in Post Offices and Dominion Savings Banks for the fiscal year of 1878, amounted to \$8,998,113; in 1879, \$9,846,982; in 1880, \$11,688,356. On the 31st of January, 1881, they were \$14,730,594, an increase of \$5,732,481 in two years; this sum added to the \$12,839,900 of additional deposits in the banks, makes altogether \$18,500,000 of increased deposits, showing the increased earnings of the people. Then we will take the receipts of Canadian railways. In 1879, 3,722 miles of road yielded \$15,789,101; in 1880, 3,744 miles yielded \$21,241,756, or an increase of \$5,452,655.

Mr. MILLS. Is that the local traffic or the total traffic?

Sir LEONARD TILLEY. That is the whole traffic. A portion of this increase is, no doubt, due to the distribution of the sugar that was refined in Montreal. Formerly, it came in by the bridge at the Falls, they did not carry it so far, but when it had to go from Montreal to all parts of the Dominion, they got something extra out of that too. I think that with these facts before us, we will be prepared to admit that the country is in a more prosperous condition. We do not claim all that for the National Policy. Oh, no! I think

that the National Policy has had a great deal to do with it, in the first place by giving confidence to the people who had their capital invested. Even on the 14th of March, 1879, there was increased confidence on the part of every man who had capital invested. If you travel over the Dominion to-day and come in communication with men of all classes and all branches of business, they will tell you that business has vastly improved. We have few losses now whereas we had enormous bankruptcies before. In conversation the other day with a large importer and trader of Montreal he said: "Last year we did an enormous business and we lost but \$40 in bad debts. Everywhere we have prompt payments; money is more abundant; business everywhere is better, and the National Policy has had a good share in this improvement. Now, there has been a good deal said about the increase of taxation upon the people of Canada since 1872. It was the burden of speeches made last summer where elections were held, and last autumn. I think it was my hon. friend from South Brant (Mr. Pater-son) who stated that this Government was very extravagant and was ruining the country. And I think that my hon. friend the leader of the Opposition, as well as the late Financial Minister stated that on the return of the present Ministry to power the expenditure began to increase. The latter gentleman said: "You may look for a large increase, and I should not wonder if, in 1883, we should have an expenditure of \$28,000,000." Last Session the hon. leader of the Opposition went out of his usual sphere and made a careful examination of our financial affairs; he apologized for doing so, but it was not necessary, as he handled the subject in a very able manner; still, perhaps, his attention has not been called to a few facts I am now about to give him on this subject. The taxation necessary to meet the expenditure for 1873-74 to 1879-80, may be stated as follows: I deduct the \$2,000,000 surplus because we are not spending it. If we had a deficiency of \$1,000,000 we would have to add that \$1,000,000 to the amount collected from Customs and Excise, because we would have required to increase the expenditure. Then I take the increase of population under the census of 1871 as my basis. It was about 12½ per cent. between 1861 and 1871, and I estimated 12½ per cent. between 1871 and 1881. I divide that by ten, and adding one-tenth to each year from 1871 down, showing the increase. Taking money necessarily collected from Customs and Excise for the purpose of paying the necessary expenditure of the country, as just stated, we find it to be as follows, per head for the population:—1873-4, \$5.01; 1874-5, \$5.07; 1875-6, \$5.22; 1876-7, \$4.82; 1877-8, \$4.71; 1878-9, \$5.02; 1879-80, 4.87. And under the estimated expenditure of the present year (1881), 4.98 as against 5.22 in 1875-76, and 5.07 in 1874-75. It must be borne in mind that between 1873-74 and the time when the present Government came into power, our debt was increased \$40,000,000, and during the last two years \$18,000,000 were added, for which we have provided this year. Notwithstanding that it was 4.87 per head of the population last year, it is estimated this year it will exceed 4.98. This is a matter I have gone into so carefully that I am satisfied I am correct; but, of course, it is quite open for my predecessor, the late Finance Minister, to show, if he can, that I am wrong with reference to that matter.

Sir RICHARD J. CARTWRIGHT. What do you hold the population in 1881 will be?

Sir LEONARD TILLEY. If there is any error it is in favor of my hon. friend, because I divide by ten, and you will see that is at the same percentage. The increase would be larger in the last year, and we give him the benefit from the commencement. Now, as we are entering upon a great work, and one which the country will sustain this House in carrying out, it is necessary that we should look to see how the debt of the Dominion of Canada stands to-day, Sir LEONARD TILLEY.

and how it will stand when that work is completed, as compared with the debts of other countries and the rates of taxation. I have obtained information with reference to the debts of the different Australian colonies, for the purpose of comparison. The following is a statement of the debts per head of the population of the following colonies, June 30th, 1879, and taxes per head for the same year:

	Debt.			Taxation.		
	£.	s.	d.	£.	s.	d.
New South Wales ....	20	6	10½	1	15	7½
Victoria .....	22	5	10	1	19	4½
South Australia .....	25	9	6	2	1	3
Queensland .....	46	16	0	2	18	11½
Western Australia .....	12	11	10	3	1	7½
Tasmania .....	15	17	8	2	2	6
New Zealand .....	51	13	3½	3	4	4
Canada, gross debt....	9	7	2	1	0	7½
Debtor, net debt.....	6	14	1½			

If the engagements in connection with the Pacific Railway could mature during the current fiscal year, the revenue of the year would be found sufficient to pay the interest on the debt, including all other charges upon the Consolidated Revenues, and the net debt of the Dominion would not exceed £9 9s. 4d. per head of the present population, and the taxation for the year would not exceed £1 2s. 2d., or less than one half the average taxation of the Australian Colonies. Now, that would not justify extravagance on our part, I admit, but I make this statement to show our people that our taxation will be only one-half when that work is completed, of what it is in those Australian colonies, and that, under those circumstances, with our country in its present prosperous condition, and with a certainty of a continuation of that prosperity, they need have no fear of the future. Some gentlemen may say bank stocks have increased in value because of the good harvests. That is of a temporary character, but they have increased in value because the assets that the banks held were made more valuable by this policy which is giving an impetus to the trade of the whole country; and if we may judge from the improvement visible in the last two months since it was known that there was a probability of the Syndicate taking this road off our hands and constructing it rapidly, that the liabilities of the country were fixed, and that this road would be completed within ten years, I believe that fact, in connection with the National Policy, has much to do in increasing the value of stocks and of real personal property everywhere, and giving a hopeful feeling to the people throughout the length and breadth of the Dominion. It is said we on this side of the House are very sanguine, and that I am a sanguine prophet. I will not undertake to prophecy, but I ask the members of this House and the people generally to look at the state of trade and our prospects and say, have they ever been more hopeful than at present. I firmly believe, although we have not a high protective Tariff, that by a re-adjustment of our Tariff from time to time for the encouragement and development of the resources of the country, and with our vast fertile belt of lands in the North-West for settlement, there is no reason why we should not be hopeful, and why the most sanguine expectations of the people of the Dominion should not be fully realized. I feel, standing here and speaking as the representative of the Government, that we have ample proof and evidence to vindicate us in the policy that we have followed, and that the gentlemen who support us in this House—and it is more their measure than ours—will be vindicated by those who sent them here. Having heard the leader of the Opposition say a few nights since, that he desired a return to the Tariff of 1878, I would prophecy this—and it is the only prediction I will make: if the hon. gentleman continues to entertain these views and propounds them at the election of 1883, this wave of prosperity that is coming over this country will submerge him and his party if they attempt to check its onward progress by the des-

truction of this policy, and it will be fatal to them all. They may patriotically feel that it is their duty to do it, but the consequences will nevertheless be as certain. In Committee I propose to submit some resolutions, of which the following is a summary:—

*Schedule A.—Dutiable Goods.*

- Agricultural implements—mower and reaper, knives to be added as parts of—department rules same now.
- Books—printed matter not enumerated, to be added at same rate, 30 per cent.
- Britannia metal—in pigs and bars 10 per cent. Manufactures of not plated, 25 per cent,—now all 20 per cent.
- Cocoa nuts—present duty \$1 per hundred—when from place of growth to be 50 cents.
- Cordage—to include Manilla mouline, 20 per cent., being plentifully made in Canada.
- Cotton and manufactures of—amendment intended to make white or dyed jeans, cottilles, cambries, silicias &c., uniform rate 20 per cent—some now 2 cents per square yard and 15 per cent.
- Cotton over 36 inches wide for oiled window blind manufactures to be 15 per cent—now 2 cents per square yard and 15 per cent.
- Clothing of any material not elsewhere specified, to be uniform duty 30 per cent—now according to material.
- Glass and manufactures of—word “moulded” inserted, and words “or fruit” taken out to make item plain, and side-lights and head-lights added at 30 per cent.—The latter now rated according to material, and sometimes not properly rated.
- Gun, rifle and pistol cartridges to be uniform at 30 per cent.,—now rated according to material.
- Grain, flour and meal—now specific duty, to be 20 per cent. upon appraised value when damaged by water.
- Iron and manufactures of—axles, rivets and nuts, to pay same duty, whether of iron or steel.
- Rolled beams, channels and angle, and T iron, now 15 per cent. to be reduced to 12½ per cent.
- Wrought iron tubing, now all 15 per cent., to be changed, and make all of 2 inches diameter and under 25 per cent.
- Chain cables—over ½ inch, now 5 per cent., change size to read over ⅜ of an inch.
- Laces, braids, fringes, cords, tassels, now various rates, according to material, to be all 20 per cent.
- Lead—old and scrap, to be 40 cents per 100 lbs.; pigs, bars, blocks and sheets, to be 60 cents per 100 lbs.; both now 10 per cent.
- Leather—kinds now dutiable at 15 per cent., not well defined. Item changed and kinds more clearly specified, but duty not changed.
- Liquorice root—the root was inserted here in error, it is in the free list, and is to be expunged from the dutiable item.
- Marble finished—now 25 per cent., to be 30 per cent.
- Musical instruments—except pianos and organs, now rated according to material, to be all uniform duty, 25 per cent.
- Oil—lubricating, now often difficult to determine, duty being of mixed materials to be 25 per cent.
- Pants—white lead in pulp, not in oil, to be 5 per cent.
- Ribbons—all kinds and materials, to be 30 per cent.—now different rates according to materials.
- Oil cloth for floors, etc. . . Wording of item changed to avoid discrepancies in rating, but duty not changed, 30 per cent.
- Plated ware—cutlery plated wholly, or in part, specified in item to make it plain; duty not changed.
- Plaster of Paris—ground, not calcined, now 20 per cent., to be specific—10 cents per 100 pounds, to avoid difficulties in valuation.
- Printing presses—now 15 per cent., to be 10 per cent.

Silk in the gum—item changed to read “or spun, not more advanced than singles.” This to favor ribbon manufacturers.

- Spirits and strong waters—to include medicinal elixirs and fluid extracts, and wine preparations, at \$1.90 per gallon, now difficult to rate, makes matters plain.
- Steel—free until 1st January, 1882, extended to 1883.
- Canned meats, fruits and tomatoes—Specific rates of duty to include the cans, and weight of cans to be included in weight for duty. This has been established by Order in Council and acted upon in the past.
- Satins of all kinds—to be 25 per cent., now various according to material of chief value.
- Screens—of any material not elsewhere specified, to be 30 per cent. Wood screens are now 35 per cent., and others various rates according to material.
- Shawls of all material, except silk, to be 25 per cent., now various rates.
- Slates—roofing slates now 25 per cent., to be specific at 80 cents and \$1 per square.
- Sulphuric and nitric acid—combined, to be 20 per cent. This is so now under Order in Council.
- Telephones, telegraphic instruments, electric and galvanic batteries and apparatus for electric lights to be 25 per cent., now rated according to material.
- Umbrellas, parasols and sun shades of all kinds and materials to be 25 per cent. now rated according to materials.
- Velvets—silk to be 25 per cent. now 30 per cent., velveteens and cotton velvets to be 20 per cent.
- German and nickel silver, manufactures of, not plated, to be 25 per cent. now uncertain.
- Wincies—not more than ¼ wool, plain and twilled, all widths, 20 per cent.  
Checked, striped or fancy not over 25 inches wide 20 per cent.  
Checked striped or fancy, over 25 and not over 30 inches, 2 cents per square yard and 15 per cent.  
But all checked, striped, or fancy, over 30 inches containing wool as part of material or to be rated as “woollen goods.”
- Woollens—horse clothing shaped, added to prevent misapprehension, no alteration in duty.

*Schedule B.—Free List.*

- To be added—
- Beans—vanilla and nux vomica, belladonna leaves.
- Books—educational, for the use of schools for deaf and dumb, exclusively.
- Bones, crude, &c.—the word “and” to be stricken out, to avoid mistakes.
- Colors, dry and in pulp—item to be changed so as to add a number used by wall-paper-makers and others.
- Cinchona bark and ergot.
- Forest trees, for planting—free for Manitoba and North-West Territory.
- Horn strips—for making corsets.
- Extract of oak bark.
- Potash—bichromate of
- Roots medicinal—Aconite, calomba, ipecacuanha, sarsaparilla, squills, taraxacum and valerian, and various other roots are already free.

*Prohibitions to be added—to accord with Copyright Act.*

Foreign reprints of British Copyright Works, Copyrighted in Canada, and of Canadian Copyrighted Works. I shall submit these changes to the favorable consideration of the Committee, and I thank the House for the patience with which it has listened to me.

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

## AFTER RECESS.

Mr. RYAN (Montreal), in the absence of Mr. GAULT, moved the second reading of the Bill (No. 62) respecting the Citizens' Insurance Company of Canada.

Bill read the second time.

## WAYS AND MEANS.—THE BUDGET.

Sir RICHARD J. CARTWRIGHT. Mr. Speaker, the great and complicated questions to which the Minister of Finance referred and very properly referred, in his speech on the present occasion, are too numerous to enable me, or any one else for that matter, to do more to-night than take a general and cursory survey of the points in dispute between the two sides of the House, and in particular between the hon. gentleman and myself. Some of them would require for their proper elucidation very nearly an entire debate of itself. And although I do not despair of being able to notice almost all, if not all, the chief points to which the hon. gentleman referred, I certainly cannot pretend just now to go into all the questions which have come up in connection with this discussion. I observe that in the brief but touching remarks in which the hon. gentleman introduced his financial statement, he naturally enough alluded to the remarkable condition of peace, prosperity, and happiness which attended the affairs of this country at the time he first, as Finance Minister, made a statement to this House. Sir, although I am very far from denying that the financial state of the country in March, 1873, was a very strong one, I fail to understand what particular credit the hon. gentleman—who held the office of Finance Minister for eight months in 1873, if my memory serves me, after the retirement of Sir Francis Hincks—who used that opportunity to add between three and four million dollars a year to the expenditure of Canada without making any provision whatever for the payment of the same—I say I fail to understand what particular credit the hon. gentleman can claim, or how his actions during that time can have had much to do with the promotion of the prosperity to which he alluded. If hon. gentlemen should desire to know what was the true condition of the country when I entered upon office, and when I made my first financial statement in April of 1874, they may advantageously consult the Budget which I then felt it my duty to lay before the House. But the hon. gentleman threw out a challenge to this side of the House, to draw comparisons between the administration of public affairs by the Government of which hon. gentlemen on these Benches were supporters, and the Government of which he is himself a member, between the Tariff under which we conducted the business of the country and that which he has himself introduced. I say for myself, I say for the late Administration, and I think I may also say for my hon. friends behind me, and for the great party which they represent, that they shrink from no fair comparison on this point. We are willing, aye, more than willing, even eager, that a comparison should be made between the true effects of a protective Tariff and a revenue Tariff, provided that comparison is made on fair and equitable principles. Let us compare the effects of a revenue Tariff and a protective Tariff in times of depression and in times of prosperity, if you please; but do not let us resort to the gross and palpable unfairness of comparing the effect of a revenue Tariff in a time of world-wide depression, one such as was never before experienced on this continent, with the effect of a protective Tariff in a time of prosperity. In case of a fair comparison, we should have no reason to decline to accept any parallel which the hon. gentleman or his friends might desire to draw. I observed, Mr. Speaker, in the opening portion of the hon. gentleman's remarks, that he had a slight initial difficulty to contend with. On the one hand,

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he had an actual realized deficit of \$1,500,000 to explain, and on the other an anticipated surplus, which he expects to receive, and probably will receive, as the result of the taxation of the present year. The problem, therefore, which has presented itself to the hon. gentleman is this: how shall I, having entered into office in 1878, escape the responsibility of the deficit of 1880, and at the same time, secure to myself the credit of the surplus of 1881? The hon. gentleman's plan is ingenious and simple. All you have to do is to take as much as may be necessary from the receipts of the one year, and add as much as is needful to the receipts of the other year, and the thing is done. If I might venture to suggest such a thing, it looks as if the mind of the Minister had strayed back to the pastimes of his early days, and as if he had revived for his own benefit on this particular occasion the pleasant formula of "heads I win, tails you lose" with which youthful gamblers sometimes seek to make fortune doubly sure. The fact is as the London *Economist* naively put it when commenting on this very transaction: "The Canadian Minister of Finance has a deficit of £400,000, but he prefers to call it £80,000." And I daresay the precedent will be convenient. But what is the hon. gentleman's argument? He imposed a Tariff in February, or rather though the terms were well-known in February, the Tariff was actually imposed in March; thereby, says the hon. gentleman, you cause great anticipations in July, August, September and October of the succeeding year. That may be the case, or it may not be the case. Let us look at the proof the hon. gentleman brings forward to sustain his position. I think that the House will agree, if there was a great anticipation of dutiable goods in the latter half of 1878-9, we might reasonably have presumed that the dutiable importations of the whole year 1879 would have been largely in excess of the dutiable importations for the years 1878 and 1880, and also that the importation in the last half of the year 1879 would have been larger than during the first half. What are the facts? Why, Sir, the facts are these: That in the fiscal year 1879, in which hon. gentlemen will bear in mind this great anticipation occurred, we imported in all for consumption \$80,341,000, and in 1878, the year before this great anticipation occurred, we imported \$91,199,000—\$11,000,000 more in 1878 than in 1879. In 1880, the gross importation, although not the amount entered for consumption, reached a sum of \$86,489,000. It is true that by the mode in which the accounts are now stated, there would appear to be a large reduction in the imports of 1880, but when you come to deduct from each of the imports entered for consumption, the amounts which were known to be imported from other countries, and passed in transitu through Canada, you will find that the real imports for 1880 are exactly identical with those for 1879. If you choose to apply another test—if you choose to compare the dutiable imports for the first half of 1879 with the dutiable imports for the last half of 1879, in which the great anticipation occurred, you have this very remarkable result: that in the first half of that year we imported \$28,500,000, and in the last half we imported \$26,967,000, being a million and a half less dutiable goods imported in the last half than the first, although in that \$26,900,000 are included one million dollars worth of goods which were free before. According to the line of argument adopted by the hon. gentleman, because the imports for 1879 are far less than those for 1878, and because those for the last half of 1879 are less than those for the first half, and because the imports for 1880 are quite as great as those for 1879, therefore there was a great anticipation, as the hon. gentleman says, in the last half of 1879. The hon. Minister's speech, it appears to me, divides itself naturally into three parts: First, he asserted that the country was very much more prosperous than it was a few years ago. Sir, that statement is true. It is beyond all

doubt that the condition of Canada is more prosperous than it was two, three or four years back. Then he went on to show, and to show in some detail, that the said prosperity, under Providence, is due to the fact that he has caused certain articles—cotton, woollens, iron, coal, sugar, and a great many other manufactured articles to be made artificially dearer, a consequence which I take the liberty to doubt. And in the third place, he alleged that this is all due to the beneficent inspiration known as the National Policy. I desire, as well as the hon. gentleman, to expend some little time in considering what are the causes of those better times—how comes it that, to-day, in 1881, things are better with us, as they undoubtedly are, than they were in 1876, or 1877, or 1878, or 1879? To the hon. Minister's mind there is no difficulty at all. He points to the sequence of events. Sequence and consequence to him are all the same. He points triumphantly to this great fact—there are the taxes imposed in 1879; here are the better times in 1881. Permit me to say that there appears to me to be some confusion of ideas here. No doubt among various races, savage and civilized, there will be found a similar confusion. When there is distress, they have various devices to get out of it. Some nations offer human sacrifices, some make long prayers, some consult oracles, and some, in order to make the people richer, impose more taxes. If they can benefit ten at the expense of ten thousand they think—and the hon. Minister, in fact, alleges—that that is a sure mode of escaping from distress. They all have their fetish, whether it be sacrifices, or prayers, or oracles or taxes, it matters not. And the hon. Minister, true to his particular fetish, proposes to go on imposing more taxes, in order to make our people richer. So far as I can follow his argument, he would have us to understand that, inasmuch as he taxed cottons we had a better wheat crop; that inasmuch as he taxed woollens—and he did tax them pretty severely—therefore the people of Canada are able to sell more beef, and butter, and cheese; that inasmuch as all articles of iron are more heavily taxed, and have risen in price—and my hon. friends know that the article of iron enters largely into the production of lumber—therefore there is a great deal more demand for lumber; and as far as coal is concerned, so far as I could follow the subtleties of his argument, that the tax on coal goes to increase travel and to cheapen freight. Sir, there have been infidels who have doubted all this. There have been men so far abandoned to their natural depravity as to point out that in the first place this distress, which the hon. gentleman alleges we brought about, and he removed, was a universal and widespread distress, and, moreover, affected nations which did impose taxes for the purpose of making the people richer quite as long and as largely as nations which did not; that the causes which led to this distress were very plain; that these causes were wholly extrinsic to and wholly unconnected with any question of extra taxes; that in other countries exactly an opposite course to that which the hon. gentleman has followed, and recommends to us, has been followed by similar results to those upon which he now congratulates us. It has been pointed out that *prima facie* the best way to make people rich is not to compel them to buy inferior articles for a third or a half more than they could purchase them in a free market. I am aware, that all such pleas as these the hon. gentleman will shake from him. He condescended to-night, for the first time, to give some particulars of the factories, and to give us a little calculation of the numbers of people he says he has called into existence or given employment to by this beneficent Tariff. Still, there was a good deal of rather vague rhetoric and comparatively little of the hard fact we should obtain—we must obtain—in order to thoroughly understand these questions. I would like, Sir, for my private information, to put three questions to the hon. gentleman. If this nostrum of more taxation be

all he claims it to be, I would like him to inform me and the House, either now or at his more convenient leisure, how it was in old Canada in 1858, somewhere about 22 years ago, when we made a change in our Tariff, and made it largely protective, and imposed very heavy taxes, the imposition of large taxes was followed by many years of extreme distress and numerous deficits? In the second place, why, in 1868, when a change came over the spirit of these hon. gentlemen's dreams and the First Minister, in my hearing, told us he had found a more excellent way and was going to retrace his steps, when we lowered our Tariff and made it a merely revenue Tariff, then the reduction of the taxes was followed by many years of rather remarkable prosperity? Then, if it be the case, as the hon. gentleman has more than once hinted it was, that the existence of deficits—whether large or small, whether caused by our own acts or those of our predecessors—is a proof of the great incapacity of the Ministry under which they existed. I would like him, when the First Minister is in his place, to explain, and to send to the High Commissioner a copy of his explanation of the reason why there were more and larger deficits—ten times more than ours, I believe—between the years from 1858 to 1866. Now, Sir, let us see what are the reasons which the hon. gentleman advanced for claiming credit for himself and for his policy for the surplus which he expects to receive. That surplus, as the hon. gentleman truly stated, is due, or will be due when we get it, to the increased importations of the year. Now, the policy of those hon. gentlemen, declared from this side of the House and from that side of the House so often, is to diminish imports, to put a stop to this extravagant importation under which we suffer, and if it be true—and I do not see how he can deny or contradict it—that the surplus is due to increased imports, I say that it does not lie in his mouth to claim as the proof of the great success of his policy that, in spite of all he has done—and he has done a great deal in that direction—he has not yet succeeded, though he may hereafter, in so far reducing our imports as to entirely destroy our revenue. The general tone and style of the hon. gentleman's argument reminded me of the address the steward of some great proprietor might make to his master. He might say: "I and my fellow servants between us have largely added to your annual expenditure. We have pensioned off many good and faithful servants of yours and have put friends of ours in their places. We have taken pains that every job done on your estate should be executed on terms far beyond the market price—many millions above it in some cases. We have forced your tenants to deal with shopkeepers who gave them indifferent goods at high prices. We have used the power of attorney with which you so rashly intrusted to us to give away a great deal of your property, and to incur obligations which you will have to redeem at great sacrifice. But yet, in spite of all, although we have labored assiduously, though we have done our best and our worst, still we have to inform you that your neighbours have purchased so much more largely than heretofore, your fields and your herds and your forests have yielded so much better than before; in spite of all we could do we have absolutely got a balance to our credit, although it is extremely probable that we will very soon get rid of it." I spoke but now of the causes of increased revenue. Those causes were due, as the hon. gentleman admitted, to increased importation. Now, Sir, I say that that increased importation arises from causes entirely extraneous to the hon. gentleman's policy. We are able to buy more, because we have more to sell; we have more to sell, because we have had good harvests, and because there is a better demand. There is a better demand, because there has been a scarcity in Europe, and a great improvement in the United States, largely due no doubt to the hard times which existed in Europe. Now, under what possible condi-

tions could the National Policy claim the credit of these increased imports. That, Sir, is a point to which I desire to direct the earnest attention of this House. So far as I can see, the hon. Minister is justified in claiming for the National Policy the credit of our increased exports, on one or other of these two conditions: if he be able to show that his policy has so stimulated manufacturing industry, that our exports of manufactured goods have increased largely, or, if he be able to prove, as indeed he tried to do to some extent (though I cannot congratulate him upon his success in that direction), that his policy has largely increased the production of the other articles we export, I admit he would have made out some ground for asserting that the National Policy had contributed to these increased exports to which we owe our increased revenue. But what are the facts? My hon. friend from Brant (Mr. Paterson) rather anticipated my line of argument yesterday, when he called attention to the fact that whereas our exports of manufactures of our own production were in 1878, \$4,127,000, our exports of the same class of goods had fallen in 1880 to \$3,242,000. Well, Sir, the hon. Minister advanced to-night an argument which I have heard, and which I think members of this House have heard for the first time, that this which we in our ignorance all thought was a proof, that whatever other benefits the National Policy might have brought about it had not increased our power of producing manufactured articles, was quite a mistake on our part. The hon. Minister tells us, and I call the attention of the House and of the country to the statement, that the diminution of exports of manufactured articles is the best proof of increasing home prosperity. That is a statement with which I confess I feel myself hardly qualified to grapple. It had appeared to me, Mr. Speaker, that one of the strongest objections to the protective system is that under it you usually fail, as those figures show we have failed, as the whole history of the United States shows they have failed, to enable your manufacturers to produce manufactured articles cheaply enough to allow them to compete in the markets of the world with merchants of other nations less heavily taxed, and that as a consequence you do great injury to your carrying trade by reducing the trade to and fro with other nations. Any one who has studied the subject knows the difficulties Americans experience in competing in foreign markets with England through lack of vessels of their own, and their inability to retain even a fair share of the commerce to their own ports, and for these two reasons I say the protective system stands condemned. However, Sir, the difference in the export of manufactured goods in any case is so small that it is not worth dwelling upon except as an illustration of another part of my argument. Has the hon. gentleman, as he seems desirous of showing, really done anything to increase the production of these great staples, owing to whose increase we are now in a more prosperous condition? Well, Sir, the hon. gentleman told us that he had added ten cents in certain cases to the cost of flour. He thought it was probable that sometimes at certain seasons there might be a small increase in the price of wheat. He was judiciously doubtful on that point, because I think if he visits my agricultural constituents, and those of other members, he will find that if there was an increase it did not go into the pockets of the farmer, but into that of the speculator, and as a matter of fact, for many months in the past two years the price of Canadian wheat ruled lower than that of American wheat, a state of affairs which I fear was due in part to the operation of the policy which he claims is the cause of our prosperity. I myself place small dependence upon the figures quoted upon that point, because I know right well the price of Canadian and American wheat is fixed by the price which rules at Liverpool and at other great points of demand in Europe. But what has he done for the benefit of the agriculturist, for the benefit of the lumberer, for the benefit of other

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producers of articles of a similar kind? If I am correctly informed, and I think there are gentlemen here who can corroborate my statement, what he has done for these great industries is simply this: He has added to the cost of every tool which these producers use, from a spade to a mowing machine, from an axe to a cross-cut saw. He has added to the cost of every article which they require to purchase. From their caps to their boots; from their books to their blankets, there is not one article which is extensively used by these producers to the cost of which he has not added. He has, as I shall presently show, diminished their home market by many thousands; even giving him credit for all he pretends he has added to the home population. He has added, also, to the cost of freight, and yet he claims that he and his policy have been largely the cause of the increased production of wheat, of animal products, and of articles of the forest. Now, Sir, it is well worth our while—it is an interesting study, as far as figures can be interesting—to examine for ourselves what, and how great has been the increase in the exports of this country within the last few years. In 1879, that is to say in the fiscal year terminating on the 30th June, our total exports, (including coin and bullion) of our own products, was \$63,135,000. In 1880 these exports amounted to \$74,671,000, of which, however, \$1,000,000 was caused by an additional amount of bullion. In the first half of the present year 1881, our exports reached the very remarkable figure of \$54,122,000. Now, Sir, the hon. gentleman is right in congratulating the country on this state of things. But he is wrong, in my judgment, in claiming that he or his policy contributed in the slightest degree to bring about that increase. Has he considered, Sir, of what articles those increases consist? We exported in 1879,

Articles of the forest.....	\$13,261,000
Animals and their products.....	14,100,000
Agricultural articles.....	19,828,000
Total.....	\$46,900,000

In 1880 we exported, of

Articles of the forest.....	\$16,859,000
Animals and their products.....	17,807,000
Agricultural products.....	22,294,000
Total.....	\$56,761,000

In other words, the total increase of our exports during the year of those three articles alone, amounted to \$9,766,000, being as nearly as possible, when you allow for the additional bullion exported, the exact difference between the exports of 1879 and 1880. And, Sir, which is another fact to which I would call the earnest attention of this House (because it is here we find the whole key to the cause of the remarkable prosperity which the hon. gentleman rightly says now exists, and from the continuance of which he hopes to obtain his surplus) in the half year ending December 31st, 1879, I find that our total exports were, of

Articles of the forest.....	\$10,168,000
Animals and their products.....	10,714,000
Agricultural articles.....	14,798,000

In all, \$35,500,000 in round numbers. In this current half year I find that we exported of

Articles of the forest.....	\$17,985,000
Animals and their products.....	13,806,000
Agricultural products.....	13,856,000

Total..... \$45,644,000

So that in the six months which elapsed on the 1st of January we had, on these three articles alone, added to our exports \$10,000,000 worth. And if you compare it with the half year for 1879, in which we exported of all those articles, \$30,621,000, you find that there is a difference in those six months in favor of 1881 of \$15,027,000. Now, Sir, I say that these are very remarkable facts, which show clearly

and distinctly to what causes our present prosperity, so far as it exists, is really due, not to the hon. gentleman—not to the National Policy, not to the increase of our manufacturers' products, but wholly and entirely to the increase of our export of lumber and of animals and their products—wholly to these causes is it due; nor need I tell any one who has paid the faintest attention to the actual operations of commerce how enormously an addition to the income of the people of \$10,000,000 in the space of six months will tend to encourage and stimulate every kind of industry at home, and increase our powers of purchase and our consumption of dutiable articles. But I do say, Sir, that it is hardly open to the hon. gentlemen, to claim that he or his policy is entitled to any share of the credit until he is prepared to prove how far and to what extent that policy contributed to the enormous increase I have just pointed out. If hon. gentlemen want to trace more clearly still how close is the inter-dependence between the imports into and the exports from this country, they will find in the *Gazette* returns a very curious illustration, indeed, of the remarkable expedition with which now-a-days an increased export produces an increased import. In the first half of 1879-80, we appear, by the *Gazette* returns, to have exported of goods of our own production, \$43,677,000 worth. In 1880-1, for the same period, we exported \$54,122,000. We exported, therefore, during the half year just closed, \$10,495,000 worth more than we did in the corresponding half year of the year before. What were our imports during the same period? In 1879, in the same period, we imported \$34,118,000, and in 1880, for the same period, we imported \$44,618,000. Therefore, our imports increased \$10,499,000 against an increase of our exports of \$10,495,000. I think that fact alone would show not merely to the House, but to the hon. gentleman himself, how thoroughly and completely the whole of this increase of revenue for which he claims credit depended on the increased exportation from this country, as to which I entirely and utterly deny the hon. gentleman has a right to say that he or his policy contributed in any degree. All it has done is that it has considerably increased the cost of producing lumber, grain and animal products of every kind and description. In that increase of our exports in these three great industries, he and his policy have neither lot, part nor share, although, as was said of old, they may profit by it—they may succeed in reaping where most assuredly they did not sow. Now, Sir, I take issue with the hon. gentleman on two assertions of his. He asserted in very positive terms that at any rate, as a revenue-producing machine, his Tariff had vindicated its claim to complete success, and he asserted also that it did produce a great deal more than the old Tariff which was imposed by the late Administration. Now, I say, that if the House choose to examine carefully the real position of the matter they will see that so far from being a success in the matter of producing a revenue, that hon. gentlemen's system has proved to be an utter failure, so long as the exports continue low—and over the amount of those exports, I repeat, he could exercise no control. What was the actual return of Customs revenue received by the hon. gentleman in the year just past? It amounted, Sir, to \$14,130,000. Of that Sir, no less than \$785,000 were due to the odious, unjust and unreasonable imports upon coal and upon bread—while on the same class of articles substantially on which the Tariff of 1874 was imposed, the hon. gentleman succeeded by his enormously increased and oppressive mode of taxation in raising about \$13,300,000. Now what would have been the results under the old Tariff? As I have shown to the House an increase of exports is always or almost invariably accompanied, by an immediate increase of imports. Our exports in 1880 had increased, no thanks to the hon. gentleman, very largely over the exports in 1878

—which I take for the purpose of comparison in order to avoid any charge of mixing up the effects of my Tariff with the Tariff which that hon. gentleman imposed—and I say it is susceptible of the clearest proof that supposing only that there was a very moderate increase of the imports; supposing there was an increase of the imports much less than the increased exportation would warrant—that the old Tariff would have given us, in 1880, all the revenue we received, and that in 1881 we would get as much revenue as even the hon. gentleman himself expects to obtain from the enormous additions which he made to it. Sir, on that point, I desire to call the attention of the House to a rather remarkable fact which they can verify for themselves if they refer to the *Gazette* returns. In the first half of, 1874-5—that is to say, the period from June, 1874, to January 1875; the only period in which one can fairly compare the operation of the late Tariff—the actual Customs receipts for that half year amounted, by the *Gazette* returns, to \$8,835,000; the actual receipts for the corresponding period which terminated on the first of January last, under the hon. gentleman's greatly increased Tariff, amounted—quoting from the *Gazette* returns, to \$8,762,000, in which was included \$400,000 at least for coal and bread. So that, Sir, in the first half of 1874-5, the only period available for anything like a fair and just comparison, the revenue Tariff imposed in 1874, absolutely yielded a larger revenue than the present oppressive and unjust Tariff imposed by the hon. gentleman. Now, I say that we are justified in laying a great deal of stress upon that point. The period I have chosen, although the only period at all available for the purpose of a reasonable comparison, is a period unfavorable to us in very many ways. First of all, the exports in 1874-5 were enormously less than the exports in the present year. In the next place, it is perfectly clear that there was a considerable anticipation in 1874-5 because the Tariff under which we then worked had been imposed at the latter end of April, and, on the hon. gentleman's own argument, there would have been undoubtedly a vastly larger anticipation under a Tariff imposed in April, than there was under a Tariff well known in February and imposed in March. Now, I think, Sir, even the hon. Finance Minister himself will hardly venture to deny that, provided our exports increase largely, our imports are sure to increase to a very considerable extent; and he can certainly hardly deny it in the face of the facts declared in our trade returns, and the facts to which I have called his attention; nor can he deny that the old Tariff would have yielded a largely increased revenue provided the imports increased. I have shown that the exports in 1880-81, so far, were within the half year at least \$15,000,000 greater than the exports in the corresponding period in 1878. I do not suppose they will go on increasing in quite that ratio, but if, as is most probable, they are \$10,000,000 or thereabout more in the remaining half of the year than the exports for the corresponding period in 1878, we would have in all human probability an increased export over the export of 1878 of \$20,000,000 or \$25,000,000, and I need not say that but for the hon. gentleman's deliberate and arbitrary interference there would have been undoubtedly an increased importation of at least an equal amount—probably a much larger amount—because as the House knows, under ordinary conditions of things, we usually receive back a larger importation than the nominal amount of our exports. Now, Sir, if we assume, as a fair standard to start from, the condition of exports and the condition of imports in 1878, and if to this you add \$25,000,000 of imports which would be the smallest amount that would fairly represent an increased export of \$25,000,000, it is perfectly clear that we would receive at the very lowest calculation, or would have received had our old Tariff been in operation and not interfered with, an increase of at least \$4,000,000 of revenue, probably considerably more, wholly independent of the duty on coal and bread which I called attention to;

in other words, if we had the additional exports—which I entirely deny the hon. gentleman's right to claim credit for—under the Tariff which we then had, our total income would have amounted certainly to not less than \$17,000,000, which, I think, is about the sum that the hon. gentleman expects to receive this year, less his tax on coal; and the country at large would have had a taxation something like 60 per cent. less than the taxation under which it at present labors. Now, Sir, although I do not care to quote the hon. gentleman's words, I say that this is a most ample justification of the position assumed by the late Government. I say that the results have come out literally and exactly as we predicted years ago that they would come out. I say that a protective tariff, so long as the exports continue low—and so far as this protective tariff is concerned they would always have continued low—will wholly fail to produce adequate revenue until those conditions are changed. I say that prosperity returned the instant that those conditions were changed from causes over which neither the hon. gentleman nor myself could really exercise any control; and I say, Sir, that the moment those conditions were changed, that the late Tariff would have been amply sufficient and more than amply sufficient for all our wants. The hon. gentleman, Sir, has indulged in a very remarkable boast as to the effects of his system of taxation, and he appeared disposed to dispute, just now, my assertion that he had added 60 per cent. to the taxation. I did not say, you will observe, that he had raised the total taxes by the sum of 60 per cent. over and above what they were before, but I say this: whereas our average taxes were probably, on the ordinary importation, about 12 or 13 per cent., our average taxes at present are some 19 or 20 per cent., and I say that is a difference of 60 per cent., as compared to the former existing rate of taxation. Now, Sir, what has he done? He has added to our taxes in almost every conceivable particular. We have taxes on food; we have taxes on fuel; we have arrangements for inspection of oil so made as to involve a very heavy tax on light—on the article chiefly used for producing light in this country; and as a result we have—although, perhaps, the hon. gentleman may not sufficiently appreciate the fact—greatly increased the whole cost of living to the great producing classes of this country. Perhaps the hon. gentleman, as some of his friends behind him have done, will argue that we have paid heavily, but are receiving proportionate benefit. Now, that is a vital question for us to consider. I admit it may be possible, although I have failed to see hitherto how, that from the enormous addition to our taxation we have received, or may hope to receive, some proportionate benefit. Let us recall the promises which those hon. gentlemen made at the time they were struggling for place and power. Let me recall their promises to the urban population, their promises to the farming population, and particularly to the unhappy inhabitants of the Maritime Provinces, from which the hon. Minister of Finance comes. We were told that they were to have a better home market, and the hon. gentlemen to-night attempted to show how that promise, at any rate, has been fulfilled. We were told, particularly, in the farming districts, land was to rise and was to become more and more valuable all over the country; and I would like to get the opinion of the representatives from Western Ontario, as to the extent to which that promise has been fulfilled in their constituencies. I am afraid, if they spoke the truth, they would have to admit that, though they might differ about the cause, that there can be, unhappily, no doubt whatever as to this, that the value of the farming lands, throughout the western part of Canada more particularly, had fallen heavily and seriously within the last few years; while as to the home market, even the hon. Minister of Finance, greatly against his will, was compelled to admit,

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there had been a very serious exodus of our people, although he was disposed to believe that the number of those said to have left the country had been greatly exaggerated. I can well understand the reason which makes the hon. gentleman and his colleagues so sore, so savage and so touchy when any allusion is made to the exodus. Although the hon. Minister of Finance was not present himself in the House during the five years of the Administration of my hon. friend from Lambton (Mr. Mackenzie), he is, no doubt, perfectly well aware that on no single occasion did his friends beside him, and his friends behind him, omit to quote from those very statistics which they now decry to prove the fact that under Mr. Mackenzie's Administration there had been a great exodus of the people of Canada to the United States. Now no language is too hard, no insinuations, I was going to say, are too severe for them to make against the *bona fides* of the United States Customs statistics; and yet, until within a year or two ago on every hustings in Canada, did those hon. gentlemen quote those very statistics as containing unanswerable proof of the mismanagement of the Mackenzie Government and of the extent to which they were driving the people out of the country. As to the question whether or not the American statistics do accurately represent the total exodus of our people, I for the present reserve my opinion. I am not satisfied—and I take this opportunity of stating it publicly—with the report which has been submitted on behalf of the Department of Immigration, and I will proceed to give the hon. Minister some reasons which appear to be reasonably convincing as to the existence of a very serious exodus, whether or not those statistics which Mr. Lowe controverts were exaggerated or not. There are other facts well known to hon. members, which afford but too good evidence, but too clear proof—that whatever else the hon. gentleman may or may not have done—that he has failed, and failed most notably, in preventing this emigration, which we deplore as sincerely, perhaps, more sincerely in reality, than the hon. Minister himself. The hon. member for Lanark (Mr. Macdonell) showed the House, the other day, how, in the small space of some ten miles square, between 300 and 400 people had been known to have left this country. I called attention, myself, to the fact that out of five or six townships scattered over the County of Huron, having a population of barely 22,000 souls, there was a known and ascertained emigration of at least 1,500 souls. I find by reference to certain municipal statistics, which we have been able to obtain, and which it would be well if the hon. Minister of Agriculture had attempted to obtain, that a like state of things prevailed at widespread points through Ontario. I find, for instance, in Kingston, from which I come myself, that whereas a couple of years ago, the population was given at 17,358, to-day, under the beneficent effects of the hon. gentleman's policy, the population is put down at 13,621, a loss, in that comparatively small population, of 700 souls. I find from the returns of Belleville that, last year, their population was 9,901; this year it is given at 9,726. I am informed by a resident of St. Catharines, that the population of that city, eighteen months ago, was 11,079; the population to-day is 9,384.

Mr. RYKERT. Who is the authority?

Sir RICHARD J. CARTWRIGHT. The authority from whom I obtained this information is an authority, I venture to say—his seat in Parliament apart—equally as good as that of the hon. gentleman who interrupts me. There is another way in which we can obtain some idea of what has actually been going on in Canada. I assert, here, that whether the United States statistics be true or not, whether there has been, or not, a larger or smaller emigration to any particular point, the educational returns of the Province of Ontario alone show too clearly and conclusively how great,

how vast a depopulation, if the hon. gentleman chooses to use that term, has been going on in the rural parts of Ontario. Those returns show that throughout the rural districts of Ontario the school population of all ages attending school stood as follows:

In 1877.....	399,154
In 1878.....	396,220
In 1879.....	391,063

Here, in one year, among the population attending school, we have an actual loss of 5,157. At the usual proportion subsisting between those attending school and the total population, a loss of 5,000 represents a total loss of 20,000 to that Province, or more correctly, to the rural parts of that Province. And when you recollect—and the Minister himself alluded to that point—that in Ontario the average increase according to the last census was about one and a-half per cent. per annum, Ontario having increased decidedly more rapidly than most of the other Provinces, hon. gentlemen will see that besides that dead loss of 20,000, there must have been a loss of the natural increase in that year of not less than 25,000, making in all, if the returns of the Minister of Education are to be believed, a loss to that one Province in a year of not short of 45,000 souls. Now, Sir, I say it is impossible for us to shut our eyes to these facts which go to show, not necessarily that the United States statistics are correct, but that there has been a very great emigration from the Province of Ontario, whithersoever and wheresoever it may have been directed. And I say this: that in my judgment it would be far better for the present Ministry, and in particular the Minister of Agriculture, in place of relying exclusively on doubtful statistics obtained from this or from that railway company, to avail himself—as in a case so important he might very well do—of the resources of his office, to ascertain from the greater number of Ontario municipalities what was the actual state of things as shown by their municipal returns, and to enter fairly and honorably into communication with the United States Government, who, I take leave to say here in my place, are incapable of knowingly permitting their statistics being adulterated and falsified, as the Minister of Agriculture and his friends say they are. I have no doubt that if the Minister of Agriculture was to make proper representations to the American Government, we can easily get to the bottom of this matter, and I say that this matter is one that we ought to get to the bottom of. I submit that whether the exodus be so great as their statistics say, or as we on this side suppose, there is no doubt whatever, even in the minds of the Ministry themselves, that there has been a great and very lamentable emigration from this country; and it is a matter of the first importance that steps should be taken—if possible in conjunction with the neighboring Government—to ascertain the real actual facts in the case. I conceive that neither the Ministry nor the Committee of this House to whose province it properly belongs can be better employed than in making a very searching investigation into this matter. One fact, at any rate, is clear, and that is, that these men who now declare that these statistics are falsified and incorrect, themselves—perhaps innocently and unknowingly—made false accusations against the late Ministry, when they accused them, on the faith of these statistics which they now denounce, of having been responsible for a large emigration from this country. The hon. gentleman, though he did not do so to-night, has in another place advanced another plea. He said, I will not deny that there has been a considerable emigration, but, after all, what does that prove. Nothing against the National Policy, says the Minister, because, forsooth, if these people do flee to the United States, as you allege, they flee after all from a lower to a higher protective Tariff. Well, Sir, what I have to

say in reply is this: that I think the fact is one which is hardly correctly stated, because the incidence of taxation upon those classes of our people which chiefly leave us, is, I very much fear, quite as high under the hon. gentleman's Tariff as it is under the Tariff of the United States. I say, in the second place, that as regards a very great number of articles it is a matter of perfect indifference after you reach a certain point—after you reach the prohibitory point—what your nominal Tariff may be. If 30 per cent. will exclude a certain class of manufactured articles, surely the hon. Minister and the House must see that it is a matter of no consequence whether you make the Tariff 50, 60, 70, or 100 per cent.; if 30 per cent. will exclude it is the prohibitory point and all extra taxation is idle and unnecessary. But in truth this whole argument only shows that the Minister and his supporters have wholly failed to apprehend correctly the enormous difference which exists between our position and that of the people of the United States. Sir, the United States is a country possessing immense resources which we have not; at any rate which we have not developed as yet. It is a country which possesses what we do not—an immense system of internal free trade, and the consequence of that fact is this: that even if our Tariff was identical in every page and line and letter with the Tariff of the United States, that Tariff would produce very different results, indeed, if applied on this side of the border, from those which it might possibly produce on the other. You can, for one thing, manufacture a vast deal cheaper for a population of 50,000,000 than for a population of 4,000,000, and, moreover, so large a market as they possess does ensure, to a very considerable extent, as I have never denied, a tolerably keen competition on most staple articles, which does not exist in Canada and never will exist, for the simple reason that our small market renders it impossible for us to secure equal cheap competition or to manufacture on equally cheap terms. And yet, with all these great advantages to which I have alluded—with all their wonderful natural resources, with all their magnificent system of internal free trade, let my Protectionist friends and the Minister of Finance compare the present position of England with that of the United States. The latter country has to-day equal access to every foreign market which is open to the English manufacturer. The United States exports of manufactured goods to-day are utterly insignificant; after all their attempts for twenty long years they are utterly unable to compete with the English manufacturer. I wish to call attention to a few remarkable statements made in the last report of the Chief of the Bureau of Statistics of the United States, and I refer more particularly to the effect which the American protective system has had upon their capacity to engage in the carrying trade either of their own or of other countries. According to that report the tonnage engaged in foreign trade and owned by the United States 20 years ago—that is 1860—amounted to 2,379,000 tons. This year it is 1,314,000 tons, or a little more than one-half what it was 20 years ago. Twenty years ago the American built on an average, as this gentleman states, 233 ships every year; this year they built 23. Twenty-five years ago the tonnage of all kinds entering American ports amounted to 4,460,000 tons. Of this the United States themselves contributed 3,194,000 tons. In 1880 the tonnage had grown to 15,250,000 tons, and of this the United States claim only 3,128,000 tons. The proportion of their own trade which the United States could carry on—and I need not tell the hon. member for St. John what a valuable and lucrative trade, the carrying trade of the United States is and ought to be—had fallen from 72 per cent. in 1856 to 21 per cent. in 1880; while British tonnage engaged in the United States trade had increased from 1856 to 1880 by 6,967,000 tons. Now, that

is a fact to which, at any rate, the representative of one of the chief cities of the Maritime Provinces would do well to pay a little attention when he is stating the results of the policy he is so proud of having inaugurated. As for the results of United States enterprise in contesting with British enterprise for the supremacy of trade in distant markets common to both, we find that of manufactured cotton-goods, the United States export in 1878 of \$11,500,000 had in 1880 fallen to \$9,900,000, and their export of woollen goods in 1878 which amounted to \$448,000 had fallen in 1880 to \$216,000. In the three great articles of export, cottons, woollens, and iron goods of all kinds, the United States, with 50,000,000 people, exported less than £5,000,000 stg. worth, while England, according to the trade returns for 1880, with her 32,000,000 or 33,000,000 people exported to the value of £115,000,000 stg. in eleven months: or at the rate of £125,000,000 sterling for the 12 months; in those three articles. The imports of the United States of cottons had run up from \$19,000,000 in 1879, to \$30,000,000; in woollen goods, between 1879 and 1880, the imports had increased from \$29,000,000 to \$57,000,000; and in iron goods, that particular industry, cherished by the protection of 100 years in the United States, the importation between 1879 and 1880 had increased from \$9,947,000 to \$53,714,000 worth. Those facts, which I quote from the United States own trade returns, show clearly, that up to the present time, with all their natural advantages, the United States have totally failed to equal, far less to supersede, English goods in markets common to them both. But there is one respect in which the United States can outrival England. You look in vain in the English market for any considerable consumption of cottons or woollens or iron goods of United States manufacture, but you learn that there are to be found on every English breakfast table, American beef, butter, bread and cheese. The lesson is obvious. The United States with all their faults have got, and they zealously maintain, the principle of free trade in land, and consequently in all things that land can produce the Americans are unrivalled. In those articles in which they have no protection, in which they can have no protection, they sweep English products out of the markets, although the British Isles have, as all know, uncommon natural advantages for the production of three, at least, of the articles I have enumerated; while in spite of tyrannical laws, in spite of an odious system of monopolies, English manufacturers force their way into American markets, and drive American productions out of every fair field common to both. The lesson is clearly this, that the United States are supreme where they have no protection; and that England is beaten alone where England still adheres to the old and unfortunate monopoly in land. Owing to this monopoly, England is beaten in those very articles which her soil and climate best adapt her to produce. Now, I say the hon. Minister and his friends might read their lesson here. In their policy they appear to me to have sedulously imitated the worst evils of both the great countries with which we are connected. We have plagiarized the foolish trade policy of the United States, and are now attempting to plagiarize the still more unfortunate land policy of England, and hon. gentlemen opposite call the mixture a National Policy. The hon. gentleman said but little of our expenditure on immigration. Now, I think that a most golden opportunity is presented to us, and I would have been glad to have heard from the hon. gentleman of the intentions of the Government in attempting to avail themselves of it. It appears to me we have deliberately adopted a policy which will tend to drive away immigrants from our shores. How are we welcoming immigrants here? We had until very recently two very great advantages, over the American people in this matter. We could say with truth that our taxes were much lower than theirs.

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that living was decidedly cheaper here than in the United States, and we had, until very lately, the power of dealing with our lands in the North-West in such a way that we could avoid those railway monopolies which, in spite of American laws, very seriously impair the progress of the North-Western States. Now, how does the case stand? We have imposed a most oppressive Tariff; Canada is rapidly becoming an extremely dear country to live in. I have not the materials for making a perfect comparison of the expense of living of an ordinary workman or artizan in Canada and the cost of living in England. But I know that the English artizan can obtain clothing for himself and family at vastly cheaper rates than he can in Canada; I know that in England, in the chief cities, at any rate, he can obtain lodging and fuel on cheaper terms, and that every article of rational luxury which poor and rich alike desire, if their means permit, to indulge in, can be obtained vastly cheaper in England than here under the present Tariff. In one word, with the solitary exception of land and the leading food staples, I believe that every article largely consumed by the workingman is, at any rate, in cities, very seriously dearer here than in England, while I doubt exceedingly whether any comparison of wages between the two countries would now result in our favor. The hon. gentleman challenged us to show how his National Policy had injuriously affected the agriculturists of Canada. Now, I will admit that there is always a certain difficulty in getting at the true facts of the expenditure of the agricultural community. Comparatively but a small number of them keep accurate accounts, as everybody who has had experience in dealing with farmers knows; they often—especially the female members of the family—in many parts of the country, carry on a system of barter for many articles they consume. Their expenditure varies greatly year after year; they spend largely when there is a good crop, and spend less when there is an indifferent crop. But, nevertheless, the general results of inquiries which I have made at widely different points of the country all tend to show that the average expenditure on goods, not necessarily imported, but on goods increased in price under the Tariff of the hon. gentleman is for the average farmer, having a farm say of 100 acres, rarely less, on an average of years, than about \$300; and on that \$300 worth of manufactured goods the average tax imposed by the policy of the hon. Finance Minister varies from 30 to 35 per cent., because those identical articles which enter most largely into use of our agriculturists, are the articles most heavily taxed by our fostering paternal Government. I remember, when some months ago I called attention to the enormous injustice of the Tariff as it bore on the farmers of Ontario, that the hon. Finance Minister disputed very seriously the statement I made. What was the line of argument which he adopted to show that I was entirely wrong in my statement that the taxes on the Ontario farmers reached something like the limits I gave? Why, Sir, the hon. gentleman took the total taxes of Canada, and divided this by 4,000,000, and then he argued that because the average taxation of the whole population, men, women and children, amounted to between \$4 and \$5 per head, it was clear that the taxation of a particular class, and that a well-to-do class in a particular Province could, by no possibility, reach the limits I mentioned. There, as well as in other cases, the hon. gentleman was bent on showing that he had either forgotten, or had never taken the trouble rightly to understand, the effects of the protective policy of which he is the official exponent. When the hon. gentleman talked to us, not long ago, of the true incidence of his Tariff, he told us that all the people could lose was just the difference between this and the former Tariff in the duty on articles they import. That is a most mistaken view of a protective tariff. A protective tariff raises the price of all kinds of manufactured goods, whether imported through the Customs houses

or manufactured in the country. What is the use of a protective tariff unless it excludes goods which would otherwise come into the country, and does it not by that very act at the same time add largely to the price of those manufactured in the country? Otherwise it would be a revenue tariff which could, by no possibility, protect any man or industry; and if he considers that fact he will see that we, on this side, are perfectly accurate in stating—whether we be accurate as to the amount or not—that it is quite possible that a protective tariff which has produced a revenue of \$2,000,000 or thereabouts will inflict on the people at large a tax of three or fourfold that amount. I will not occupy the time of the House, to-night, by going into details to show the exact amount at which an average farmer of Ontario, having a hundred acres of fair land, is taxed under the hon. gentleman's Tariff; but I repeat that in my judgment the effect of his Tariff would very nearly, perhaps quite, equal a mortgage of \$10 an acre on every such farm in Ontario; because of the goods that farmer consumes, probably not one third are imported goods, although the price of the whole is raised by the hon. gentleman's Tariff. I invite, Sir, the sharpest discussion of the fact of the true incidence of the Tariff on the agricultural population, and I invite it all the more because I am aware that the credit system which so largely prevails in Canada, has, up to this time, greatly concealed from the minds of farmers the true effect of the oppressive Tariff the hon. gentleman has subjected them to. Sir, all through the rural districts of Ontario the farmers are finding themselves, by the policy of the hon. gentleman, seriously handicapped, and the farmers of Ontario, as the statistics I quoted from the report of the Minister on education show, are going elsewhere, and the hon. gentleman and his policy, although not solely, are largely responsible for that unfortunate fact. Why, Sir, to-day, in all the old Provinces of Canada, the population is either stationary or diminishing in the rural districts. That fact was but too apparent to those who chose critically to scan the census returns of 1871; and if the census returns of 1881 be honestly taken, I fear that they will confirm a great many of the statements I have made. We have a very heavy taxation; we have a very keen competition with the United States, and although in some respects living may still be cheaper here than there, yet it is well known that in a great many employments wages there are higher and the chances of advancement are greater than here. Now, we know that to-day there is occurring a great upheaval in all European nations. Within the last few years several of these nations have been afflicted with severe scarcity, amounting almost to famine. In France, in Germany, in Austria, in Russia, and to a great extent in Italy, the people are groaning under the heavy burdens imposed on them by the necessity of keeping a large portion of their population under arms. They are desirous—and this remark we must apply also to a large portion of the population of the British Isles—of seeking new homes. We possess vast quantities of fertile land, only awaiting industrious laborers, and now within a comparatively short distance by rail of our own territory. Well, Sir, here are the means if wisely and discreetly used of obtaining a large addition to our population and improving the condition of Canada. How do the Government of Canada avail themselves of this favorable conjunction of circumstances? A few weeks ago the Government of Canada, in their wisdom, determined to lock up a vast quantity of their most valuable land. They determined, a year or two ago, enormously to increase our taxation. By so doing they have given every imaginable handle to our competitors and one which will be used to the utmost by the agents of the United States, who can point cut to immigrants coming to our shores that they come to a country where they will meet with a great land monopoly, a great railway monopoly, and a great trade monopoly, evils of which

they have had bitter experience in their own countries. To every immigrant who comes to Canada, desiring to settle in our North-West, you, in effect, say that you will make everything he requires to purchase dear, and that, so far as in you lies, you will deprive him of a large part of the profit on everything he raises. The hon. gentleman told us, I suppose by way of anticipating the discussion that he knew would come, that he looked, of all things in the world, on the present position of the imports of coal as the best proof of the success of his policy. The present position of the imports of coal, says that hon. gentleman, is, to his mind, a proof that the duty on coal has succeeded in greatly fostering an international trade. In 1878, he says, and correctly enough, there were imported 863,000 tons of coal; in 1879, 889,000, and last year 973,000. And the fact that under his additional taxation we import nearly 100,000 tons more of coal is given by the hon. gentleman as evidence that he has succeeded in encouraging mining in Nova Scotia, seeing that he proceeded to show there is a greatly increased consumption of coal produced in Nova Scotia. Well, Sir, I have not access to his statistics, but I should like uncommonly to know, as he has got those statistics, of the 250,000 tons of Nova Scotia coal which is raised to-day and that was not raised before, how much came to Ontario to foster international trade? I rather think there are a good many more miles of railway in operation in the Maritime Provinces than there were a year or two ago, and I think there may have been a considerable increase in the consumption of coal in the Lower Provinces as the result. If he has not the statistics I think he would do well to be cautious in his assertions, but if he has them let him state to this House how many thousand tons of Nova Scotia coal have come to Ontario, and then he will be able to make some defence for one of the most odious sectional taxes which any Finance Minister ever ventured to impose on a country. I wonder, while he was about it, that he did not show the House the great benefits that have arisen from the tax on salt. Now, that is an industry in which I have some little concern as the representative of Centre Huron. In 1878, we imported 153,000,000 lbs. of salt. In 1879, though for a part of the year there was no tax, we imported 174,000,000 lbs.; in 1880, during which the tax has been in operation, we imported, by the Trade and Navigation returns, 212,000,000 lbs. of salt, free, I may remark, in all cases. Now, I think that was not exactly the sort of encouragement to the salt industry that my hon. friend behind me and my constituents understood was to result from the operation of the National Policy. I give this as an illustration of the mode in which those hon. gentlemen redeemed their promises by putting on a tax with such exemptions and limitations that it could by no possibility confer the smallest benefit on the industry they alleged they desired to foster. The hon. gentleman took credit to himself for an increase of trade from China and Japan. Now, I recollect that I was abused unmercifully for extinguishing, as was alleged, the vast and valuable tea trade from China and Japan which sailed up the St. Lawrence. I have been at the pains to see how many ships came from China and Japan to this country. I find by the Trade and Navigation Returns, that six ships came to British Columbia from China in ballast, and that, Sir, is the fruit of the trade with China and Japan. Certain Canadian merchants import, I believe, from China and Japan, in American vessels, delivering their cargoes at San Francisco and New York, certain quantities of tea, and that is the valuable trade which the hon. gentleman thought it so important to foster. Unless I am greatly misinformed by those engaged in the tea trade, the practical result has been to throw the trade more than ever into the hands of a few American importing houses. The hon. gentleman talks of his tax upon wheat. Well, Sir, I turn to the Trade and Navigation Returns, and I see that there were 1,000,000 bushels of wheat, or thereabout,

imported into Canada and ground, I believe in bond, and afterwards I suppose an equivalent quantity under the regulations was re-exported. But I find that of all the wheat coming into Ontario, 4,558 bushels paid duty, a very great contribution, I have no doubt, to the farmers of Ontario. The hon. gentleman was good enough to give us a somewhat curious explanation, of the cause of the decline in sales of ships as to which I would like to hear my hon. friend from Westmoreland (Sir Albert J. Smith), pending the little duel which is to come off between them in that county, I understand, at some convenient day. Now, I find here in regard to the ship-building industry that we were able to sell \$1,236,000 worth in 1878, and only \$464,000 worth in 1880. Were I to adopt the same line of argument as the hon. gentleman, I would accuse him, as the hon. Minister of Railways—whom I am sorry not to see in his place—was wont to accuse me, of trampling out that industry so vital and so dear to the Maritime Provinces, by his ruthless and remorseless Tariff. I think there would be much more ground for such an accusation coming from this side of the House than there was in that accusation when made against me. Then, the hon. gentleman diverges into a long discussion on the way in which his sugar duties have operated. Now, Sir, before I proceed to deal with the statement made by the hon. gentleman on that head, I would like to call his attention and the attention of this House to a very curious series of remarks made by that hon. gentleman respecting some statements made by my own on this head. The hon. gentleman and myself, some few months ago, took occasion to air our views on the general position of the country in the western part of Canada. In doing so I took occasion to remark that the facts, as disclosed by the *Gazette*, would show that the people of Canada were being seriously imposed upon in this matter of the sugar duties, and I spoke as follows:

"In 1878, the amount of revenue received by the Dominion for sugar was \$2,567,000. During 1879, in which year the Tariff had hardly come into operation, it was \$2,554,581. During the present year, making allowance for all that British Columbia could consume, our total revenue from that article was only \$2,015,000, a decrease of no less than \$539,000 in the space of that one year. It must be remembered further that 25 per cent. was added to the Tariff on this article, and this must be included to show the actual difference between what the people had to pay and what the Treasury actually received. Adding this 25 per cent., which amounted to \$638,000 they had a total amount of \$1,177,000, which was being taken out of the pockets of the people of Canada to sustain one great monopoly in Montreal."

Now, Sir, I think that statement was tolerably clear and intelligible. I stated that the Ministry had increased the taxation 25 per cent., and that the people had lost \$1,177,000, which is as nearly as possible the exact equivalent of one cent per pound. I gave details showing how these facts had been arrived at. I showed that the country got about \$2,000,000 in duty and that it lost the sum that I named. What is the answer of the hon. Minister to that statement? I will read it from the *Mail*, so that there may be no dispute about the authority:

"Sir Richard Cartwright said that the duty on sugar was increased 25 per cent., that the price was increased to the consumer 3 to 3½ cents a pound, that every family of five or six using 250 to 300 lbs. a year, paid, in consequence of the increase of the price by three or three and a-half cents a pound, no less than from \$7.50 to \$9.50 per annum; as a tribute to sugar monopolists. Let me say that the duty has not increased 25 per cent.; that the increased price to the consumer is not three or three and a-half cents a pound, and that families do not use from 250 to 300 pounds of sugar per annum."

Now, as the hon. gentleman has invited this discussion, I call attention to the very extraordinary statement in which he has indulged. He says that he did not increase the duty 25 per cent. If you have a duty on any article of 10 per cent., and raise it to 12½, then you increase that duty undoubtedly 25 per cent.; and if he will go to the Tariff and perform the delicate arithmetical operation of multiplying the duty by four, he will find that, whereas the sugar duty was 40 per cent. under my *regime*, and he raised it 10 per cent., he has

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added exactly 25 per cent. to the duty. I do not say that he has put on a new tax of 25 per cent., but that he has increased the old 25 per cent. I hope this explanation will satisfy the hon. gentleman that I was within the record in stating that he had increased the duty 25 per cent. So in making this other statement that I had declared that each family in Canada had latterly to pay three cents per pound more for its sugar than before, surely the hon. gentleman, who had evidently my figures before him—because he declares in another part of his speech that I knew the total importation was about 116,000,000 lbs.—must have known that when I defined the loss as \$1,177,000, it was quite impossible that that could represent more than one cent per lb. He appears to be unable to distinguish between these two simple propositions: that the loss to the people of Canada over and above the money that goes into the Treasury is one cent per lb., and that the duty on the sugar consumed by the people of Canada is 3 cents to 3½ cents per lb. These are not difficult things to distinguish. They were very clearly set forth in my speech, and have been clearly set forth in this House again and again. Then we come to the other point on which the hon. gentleman took exception to my argument, the farmers' consumption of sugar in Ontario. He declares that I gave a totally exaggerated estimate of the consumption in Ontario, when I stated that families of five or six, of the class of artisans or farmers, used, annually, about 250 to 300 lbs. Now, the hon. gentleman had recourse to a very common but very stupid mode of reply to that argument. He took the total consumption of sugar for the whole Dominion, which he rightly put at 116,000,000 lbs. Then he proceeds to divide that quantity by four millions, and finding that the result is about 30 lbs. per head, he says to me: "You, Sir, asserted that a particular class in a particular Province consumed a particular quantity of sugar, per family; that is quite impossible, because the whole Dominion at large, under totally different circumstances, only averages 30 lbs. per head." It is quite clear that the hon. gentleman has paid very little attention indeed, in this, as in most other matters, to the incidence of the Tariff on particular classes in particular Provinces. Had he looked a little closer into his own Trade Returns, and consulted the census, and called to mind, what he must have known of the habits of the people of his own and the other Maritime Provinces, he would have recognized three things: first, in the Province of Quebec there always has been a comparatively enormous production of maple sugar, which is largely used by many *habitant* families; in the next place the average consumption of sugar by the families of its farmers is nothing like so large as the average consumption of the corresponding class in Ontario, wholly apart from the question of maple sugar; and thirdly that in the Maritime Provinces there is a very large consumption of molasses, which takes the place of sugar, and is an article which is not used to any appreciable extent in Ontario. Had he considered these things, and remembered that the two classes in Ontario that I have mentioned are known to use large quantities of sugar, he would have seen that it was perfectly accurate to say what I did; or, at any rate, that he must use a different sort of argument to refute my assertion that the farmers and artisans of Ontario use a considerably larger portion of sugar than is used by the inhabitants of the Dominion at large. All these things appear to be new light to the Minister of Finance. The hon. gentleman has attempted to escape from one statement which is explicit enough, that he added 25 per cent. to the sugar duties, and has lost 20 per cent. of the revenue, by entering into a long and elaborate argument to show that, because we brought so much coal to Montreal, and because we employed so many coopers to make barrels for certain articles, that, therefore, in some mysterious way, the tax

which he levied on the consumers of Ontario is fully returned to them, because it goes to benefit certain artisans in Montreal. I am glad that this enormous tax is not wholly productive of bad results; that when we lose one and a quarter million dollars a year, we get at least a very paltry return by giving employment to some 300 or 400 people somewhere. But I protest against his assuming that it is any particular consolation to my constituents or to the people of Ontario generally, that they are compelled to pay a million more for their sugar than a certain factory, may be kept in employment in Montreal. I do not dispute the hon. gentleman's statement that the average price of sugar in New York, free in bond, without the duty, is \$6.30 to \$6.50 for granulated sugar and qualities akin to that. But the price as sold by Redpath in Montreal amounts to about \$9.75 per cwt., leaving \$3.25 per cwt. to represent the incidence of the tax to our people; and as the great bulk of the sugar that they consume, when allowed to consume it according to their own choice, is not No. 14, but a very much higher quality, it is perfectly clear at this moment that the people of Canada are paying 3½ millions a year as a tax on the sugar they consume, of which about two-thirds goes to the Treasury, and the remainder is either wasted or absorbed by his pet monopolists of Montreal. And now let me say a word or two as to the hon. gentleman's estimates: For 1881 including supplementals, the total expenditure is placed at \$25,773,000. To that, if we want to make a comparison with other years, I think we might fairly add the \$400,000 which he claims for Dominion lands, which he now charges to Capital account, and which expenditure, in former years, was set down to Income account. Were we to do that we should find that the total Estimates amount to \$26,173,000, and that does not include the sums carried forward under Orders in Council. With reference to the Supplemental Estimates I will only observe that I see in them no less than \$140,000 more required for the Rivière du Loup Branch of the Intercolonial, \$212,000 for the Indians, \$43,000 for the Post Office, an additional \$100,000 on Capital account for Dominion lands. I shall not at present detain the House by commenting upon some of those points further than to remark that they show very conclusively indeed how thoroughly unjustifiable were the charges made, not perhaps by the hon. gentleman himself, but by his supporters, against the late Administration for extravagance in the administration of affairs. But let us come to the Estimates for 1882, which amount to \$26,389,000; allowing \$200,000 which he tells us were accidentally omitted in the Estimates brought down, you have an increase mostly permanent of \$884,000 in the course of a single year. You have, besides, a very heavy addition to be made to our debt of about \$14,000,000; and I have observed that the hon. gentleman has neglected to close the Intercolonial Railway capital account, so there are still heavy sums which, owing to this neglect, can be charged to that account from time to time. I will take occasion, when the Estimates are considered, to discuss the question whether it would not be highly in the public interest that this account should be closed once for all, for I believe that so long as it remains open, it will be found an extremely easy mode of providing for charges which the hon. gentleman would not venture to make if compelled to charge it to Revenue account. I notice that no reference is made to the various sums in which the country may be mulcted on account of the extra charges on this Intercolonial Railway. I invite comparison, Mr. Speaker, between these Estimates and the Estimates brought down by the hon. Minister himself in 1879. Then the hon. gentleman thought that \$23,427,000 would amply suffice for the expenditure of Canada. Now, Sir, within two years, we find that the hon. gentleman demands just \$3,000,000 more than he stated with his own lips would be sufficient for the expenditure of 1880.

Well, Sir, \$3,000,000, capitalized at 4 per cent., would be equivalent to \$75,000,000 added to our gross debt, and, I say, that shows tolerably conclusively with what spirit of economy the hon. gentleman and his friends are bent on administering the affairs of this country. Let us compare the expenditure of 1878 with the amount which the hon. gentleman now demands. In that year we contrived to make \$823,000 suffice for the Civil Government of this country. To-day the hon. gentleman demands \$960,368, an increase of about \$157,000 on Civil Government alone, as between the actual expenditure for 1878 and the estimated expense the hon. gentleman demands. Then for superannuation, of all things in the world—the superannuation which was grievously abused, for which we were so gravely denounced, not only by the hon. member for North Simcoe, but by a colleague of the hon. gentleman's—in 1878, we spent \$106,588. This year I see that these economical gentlemen, who came in pledged to do away with our extravagance, want \$155,000 for that service. Let me tell the hon. gentleman this, and he may do well to bear it in mind, that there is a grave and growing dissatisfaction throughout the length and breadth of Canada, at the steady increase of this charge, and the result may be that the people will insist on the whole system of superannuations being abolished altogether, and as I think it has, on the whole, answered well, I should be sorry to see his prodigal folly endanger a provision to which so many deserving civil servants look forward. For Indians we spent in 1878, \$421,000. Last year the hon. gentleman expended \$694,000, and he expects to spend \$852,000 in the present year. There may be good cause for that expenditure. I reserve, until I hear full explanations, judgment upon it, but *prima facie* a change from an actual expenditure of \$421,000 in 1878, to an estimated expenditure of \$852,000 for Indians alone, is one which the hon. gentleman will find, perhaps, harder to justify than he now expects. I remember that the Post Office expenditure was made a subject of grave reproach to my hon. friend (Mr. Huntington) when he administered that Department in 1878. I find in that year he spent \$1,724,000. To-day \$1,943,000 are demanded—an increase of nearly a quarter of a million on a service which we were told had been extravagant to a degree. I find that, in Excise, with which we were also very seriously reproached, our actual expenditure in 1878 was \$215,000, while to-day we are asked for \$271,000 for the self-same service. Briefly, what has the hon. gentleman done? Coming into office with an expenditure of \$23,500,000, ascertained expenditure—and his own estimate was slightly under that figure—he proposes to increase it to \$26,389,000, and provides for additional charges which, as he well knows, will amount in a few years to \$2,000,000 a year more added to our annual fixed charges. I do not say this is all unnecessary, but I do say that a good deal of it is needless, that a great deal of our prospective charges are wholly and entirely unnecessary, and I call the attention of the House, as I have more than once before, to the excessive disproportion which the fixed charges on the revenue of Canada bear even to the large receipts which the hon. gentleman anticipates obtaining. I find that our charges for interest, for subsidies, for charges of management, all fixed charges, amount to no less than \$12,847,555 a year. I see that what are known as Charges on Revenue amount to \$5,592,000, and these are charges which, as the House knows, can hardly be discontinued or even considerably reduced. The fixed charges for Indians—exclusive of the extraordinary charges to which I have alluded—amount to \$500,000 more. So we have about \$18,966,000 of fixed charges. This may be borne in good times, but the hon. gentleman will find it a very grave burthen if it be his unfortunate lot, as it was mine, to have to contend with times of general depression. Then he will find reduction most difficult, and his successors will find it difficult. This is but a repetition of that old folly

which induced the hon. gentleman's predecessors and his colleagues to avail themselves without the slightest consideration of every temporary increase of revenue to make enormous additions to the fixed charges of the country. Even if the hon. gentleman should be successful in maintaining the revenue at the standard he expects, he runs a great danger, in any unexpected emergency of finding himself crippled by that large addition to our fixed charges. It must be expected in the ordinary course of events that what are known as the ordinary charges will increase from time to time. We have the hon. gentleman's own estimate of revenue at \$27,000,000, and of fixed charges \$19,000,000, with a certainty that the fixed charges will be increased before many years are over by from one to two millions more. Although, without doubt, there is a very considerable amount of prosperity, and consequent increase of the revenue, at the present time, the condition of things shown by that statement of facts is very far, indeed, for being as reassuring as I could wish, and very far from warranting us in making such a large addition to the fixed charges of this country. Were I to venture upon any forecast in reference to this matter, I would say that there is, in my judgment, considerable danger that one or other of these things may happen—that our manufacturers may manufacture a large proportion of the goods we now import, and that consequently the hon. gentleman may find his revenue very largely reduced from that cause; or, we may have, as we have had before, extraordinary depressions of various interests, such as the lumbering interest, and the export of cattle and animal products, and then may come in consequence of over-production all over this continent, or better seasons in Europe, a period of difficulty and contraction; and then, all these large expenditures which the hon. gentleman is now indiscreetly lending his authority and countenance to, will become very difficult to reduce, either by him or any one else. In many cases they cannot be reduced at all, and he is preparing for a period when, with far less recuperative power, we may have a worse condition of things than that which he so severely condemns, which existed when the late Administration was in power. There are two or three other questions, which I can hardly sit down without alluding to to some small extent, and notably among these is the question of our trade relations with the United States. Now, I confess, Sir, that it was with some feelings of astonishment and surprise that I heard the hon. gentleman read, from the Trade and Navigation Returns, the statement of our imports from the United States, and heard him point out to the House that there had been the enormous reduction of \$14,000,000 in the imports from the United States in 1879-80. Now, I do not desire to accuse the hon. gentleman of deliberately misleading the House, I will therefore suppose that his own attention has not been called to the point, but I think the hon. Minister of Customs, who sits beside him could tell him that had these trade and navigation returns been compiled in the same way in 1880 as in 1879 the difference between our nominal imports from the United States in 1880 and in 1879, instead of being \$14,000,000 would have read as \$1,000,000. Had the imports been stated in the same way in 1880 as in 1879, our imports from the United States would have been \$42,000,000 instead of \$29,000,000. The hon. gentleman ought to know, and he must know, that a very large proportion of the \$43,000,000 he spoke of in 1879 were goods in transit through Canada from the United States to Great Britain, and that it is quite absurd to talk of a reduction of \$14,000,000 in two years when it was in all probability a matter of but \$4,000,000 or \$5,000,000 at the outside. Now, Sir, what is the actual fact? I know these trade and navigation returns contain the figures the hon. gentleman gives, but I know how they are made up, and I think the hon. gentleman ought to have informed the House of the material difference which had occurred in the mode of making these

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returns, which might otherwise mislead; not only himself, but other persons in this country. In 1880 we find our imports of dutiable goods from the United States amounted to \$19,560,000 in round numbers; in 1879 they were \$23,693,000. Now, that is a very material reduction, but vastly smaller than anybody not conversant with the mode of making up the trade and navigation returns would gather from the statement of the hon. gentleman. What was our trade with Great Britain in these several years? Well, Sir, in 1880 we imported \$28,038,000 of dutiable goods, and in 1879, \$27,026,000. Now, our exports to Great Britain in 1880 were \$45,000,000, and when you deduct the amount of American goods *in transitu* the exports were \$35,208,000. And in like manner in 1879, though the nominal amount of our exports was \$36,500,000, our real exports were \$29,333,000. The consequence is that the great improvement in our trade with Great Britain, of which the hon. gentleman speaks, resulted in this, that of our own goods in 1879, we sold to Great Britain 29½ millions and bought 31 millions, and of our own goods we sold in 1880 35½ millions and bought 34½ millions. I do not think that shows a very great development of our trade with Great Britain, 1½ millions more bought than sold in one year, and in the other year three-quarters of a million less. I am not discussing whether that is a good or a bad thing; I am discussing simply the fact whether it is a proof of a relative increase in our trade with Great Britain. Well, Sir, turn to the exports to the United States. You will find that of our own goods, deducting coin and bullion and American goods which passed through Canada from one part of the United States to the other, we exported \$29,566,000. The total imports from the United States, dutiable and non-dutiable, including coin, which amounted to \$1,100,000, is \$29,346,000. In other words, deducting the coin, we sold to the United States 29½ millions approximately, and we bought from the United States 28½ millions approximately. But, Sir, if the hon. gentleman, in his zeal for statistics, would direct a little attention to ascertain approximately or even roughly, the amount of smuggled goods brought in from the United States to this country, I am afraid the hon. gentleman will find the trade balance, of which he thinks so much, is very seriously against us in favour of the United States. It need not be necessarily a loss to us, according to my way of looking at it; but I can assure the hon. gentleman that if he chooses to make inquiries as to what is going on in the Eastern Townships, at the fishing ports and villages of the Maritime Provinces, along the River St. Lawrence and at various other points at which our frontier approaches the American frontier, the hon. gentleman or the Minister of Customs, I have no doubt, could ascertain facts enough to show that I am within the mark in saying that the total amount of goods we import from the United States is very considerably in excess of those we sell them. And I may add that the nominal reduction in our imports from the United States arises mainly from the fact that, to our own great loss as a people, we persist or insist on manufacturing our own sugar, in the place of importing it, as we did before, through the United States. That is a point on which the hon. Minister of Finance and myself may agree to differ. I do not think it is good policy to spend nearly \$1,250,000 for the purpose of employing 300 or 400 hands. The hon. member for Brant (Mr. Paterson) truly said the other day, it would pay us well to pension off these people at \$300 or \$400 a head, and then we would gain all these miscellaneous benefits which he believes would flow from giving employment to that number of people in Montreal, and would save about a million to the revenue. The hon. Minister of Finance estimates, I perceive, that we have added 14,000 people to the number employed in the various manufactories he has enumerated. With the exception of the article of cotton, the hon. gentleman was rather careful not to give us in detail the number of hands. I do not object to that particular statement. I think he

is likely to be accurate in the number of hands employed in the cotton factories; but I would ask him if he has the information to give it to us in a little more detail, and lay it on the Table of the House, in such a way as to show the number of factories, the date at which they were opened, and the number of hands employed. When he stated that 14,000 additional hands are employed I cannot doubt that the hon. gentleman was in full possession of all these details, and surely the House might fairly expect to be put in possession of them too. The fact of the matter is this, that a very large amount indeed of the increased production and employment which the hon. Minister of Finance talks of, and which I dare say exists, arise simply from the causes to which I alluded in the early part of my speech. Our people have gained in the last year a great deal of money. They have sold more raw products, they have been able to buy more goods, and from that most natural cause wholly apart from the National Policy, or any policy, there arose a considerable expansion of domestic manufactures. The hon. gentleman need not go far afield to find that which is plain and clear. The hon. Minister says: "I have other tests of the good effects of my policy; look how the stocks have risen within the last few months!" Why could not the hon. gentleman, when comparing the prices of stocks, take September 18th, 1878, for instance, and compare the prices then with the prices to-day. I doubt if the hon. gentleman would have found very material difference between the prices of our leading stocks on those dates and their prices to-day; and I may tell the hon. gentleman that I would like to know, not so much whether the prices had gone up as whether the dividends had increased, if I was desirous of ascertaining how far the prosperity of the country had really benefitted those institutions. The fact is there has been a great reduction in the rate of interest on money; there has been an abundance of money at the various great centres of the world and the consequence is that a portion of it has overflowed here, and the price of these securities has risen, not because the hon. gentleman is Finance Minister, or because I have been out of that department, but from other causes which were beyond his or my control. He takes another test. He calls attention to the price of our securities, and to the relative condition of our taxation and that of the Australian Colonies. That is a subject which had engaged my attention in former years, and a good deal too. I remember very well, when I had occasion to visit London, making an inquiry into the condition of those Australian Colonies. The hon. gentleman's figures, as he gives them, may be true enough. They correspond substantially with the figures I obtained a few years ago. But the hon. gentleman forgot two or three things. When he talks of the debts of the Australian Colonies, and compares them with the debt of Canada, he would do well to tell the House that their debt presses much lighter on them than ours does on us, because a great many of their public works are highly productive, and afford a very considerable portion of the revenue. The consequence is that the money which has been spent in building those works is not dead capital from which there is no return, but an investment from which a very fair return is derived, directly as well as indirectly by the Australian Governments. That is a factor which cannot be eliminated in comparing the debts of those colonies with ours. No more can the fact be disregarded that their export and import trade per head is very much larger than ours; they are very considerably richer than we are, from certain natural advantages which they possess. But the hon. gentleman further took occasion to contrast the price of Government securities. Well, Sir, I have here the prices of United States and Canadian securities on the 29th of January, 1881. The hon. gentleman appears to have been perfectly correct in saying that the United States 4

per cents. were quoted at 115½ to 116, which, as he very truly said, did not differ very much from the value of Canadian 4 per cents. at 103 to 104; but how was it that the hon. gentleman forgot to read the next line, in which United States 4 per cents. are quoted at 116½ to 117 in the same identical column of the same identical price current. Now, the fact is that for certain reasons, the 4½ per cents. having a shorter time to run, and not being a large security, are not in such favor in the market; but the United States 4 per cents. at 116 to 117, are much higher than our 4 per cents. at 103 to 104. I am glad that our 4 per cents are quoted so well, but the next time the hon. gentleman goes to compare our securities with American securities, he would do well to quote the prices of the two identical securities. I perceive that the hon. gentleman is not altogether without bowels of compassion for us. He has heard that many of us were suffering from this tariff, and he does give us some little reduction, some little encouragement. I have not time, although the Minister of Customs was kind enough—and I am very much obliged to him—to give me a copy of these resolutions, to go through all these changes, particularly as we shall have opportunities to do so hereafter, so I shall say very little about the increases he proposes, especially as most of them are practically modifications of the existing law or explanations of it; but I think we may thank the hon. gentleman for what he has done for us in the way of additions to the free list. No doubt the House and the country will be glad to know that, from and after this date, manilla beans will be free, and *nux vomica* will be free too. Has the hon. gentleman any designs on this side of the House? Does he think that, overwhelmed at the success of the National Policy, we shall, in sheer despair, have recourse to the old Roman mode of ending our troubles, that he consents to make *nux vomica* free? Moreover, I see cocoa nuts are to be admitted free also, and thereby, as the trade returns show, the communication between the West Indies and this country is to be greatly improved. I see we imported 266,000 cocoa nuts in 1880, value about six or eight thousand dollars. I am not aware exactly what the cocoa nut weighs, but I am inclined to think this would represent a net import of about 150 tons, speaking roughly, and doubtless an import of 150 tons of cocoa nuts from the West Indies will go a long way to encourage intercolonial trade between those dependencies of Great Britain and Canada. For one thing I thank him or the Syndicate—he has given us one year longer free steel. After all, he thought it was impossible to propose that the Syndicate should be permitted to import those articles free, and all others compelled to pay duty, and, therefore, my thanks are divided between the Finance Minister and the Syndicate for that boon. Now, these hon. gentlemen were good enough on all occasions to promise us that whatever else they might or might not do, they would take care that from this time out Canada should be for the Canadians. That was their battle cry. That was the motto they inscribed on their banner on all the hustings they attended, and we have had, not specially to-night, but since this Parliament met, the most remarkable illustration of the practical mode in which these gentlemen give effect to the statement that Canada, from henceforth, is to be for the Canadians. To-day, by Royal assent lately given, some of the most valuable portions of our whole North-West Territory are absolutely the property of a foreign corporation, with power to transfer it to-morrow to any other foreigners they please in any part of the world, with such monopolies and advantages as no corporation ever dreamed of obtaining or ever succeeded in obtaining before. We were to have Confederation solidified. We were to have all the various jarring elements of our widely extended Dominion brought into harmony. The hon. gentleman insisted that the great benefit of his policy would be found in this, that he would remove dissatisfaction between these widely separated communities—that he was

going to bring the east close to the west—that the privilege of paying 60 cents additional for Nova Scotian coal was going to endear the Nova Scotian miner to the artisan of Toronto—and in one sense it has—and that the effect of this Tariff was to give all possible inducements to every portion of the Dominion to submit peaceably to the taxation which he imposed. I would like, Sir, by way of illustration of the mode in which it strikes our distant brethren, to read to the hon. gentleman a resolution passed at a meeting of the constituents of the present Prime Minister, no longer ago than the 24th of November last :

RESOLVED—"That the Dominion tariff, however beneficial it may be to the Eastern Provinces, is an injury to British Columbia as it weighs heavily on the great producing interests of the Province and has destroyed the large trade previously done by Victoria in British goods with the adjoining States and territories of the United States, and has failed to create or encourage any new industry."

That, Sir, taken in connection with the petition that was not long ago presented to the hon. gentleman himself from the city of St. John, affords a tolerably clear evidence of the mode in which his exertions are bearing fruit in the furthest portions of this Dominion. The hon. gentleman told us that he was going to give us a home market, and, by way of practical fulfilment, I tell him that whether the United States statistics be correct or not, there is no doubt that an enormous number of the people of Ontario have been obliged to remove from that Province and seek employment and occupation elsewhere. Sir, we find our debt accumulating at a very rapid rate. That debt to-day may or may not be a little more than \$160,000,000, but the hon. gentleman shows quite clearly that within the space of a very few years that debt will reach not less than \$200,000,000; and although I will not say that that is a greater burden than the people of Canada can bear, yet I do say it is a great debt to lay on the people, more particularly when the policy of the hon. gentleman is deliberately preventing us from bringing into this country a population which would share that burden with us. Of all the great industries his policy was intended to benefit, I ask again, which one has he succeeded in showing that he has assisted in the least degree? Even he cannot pretend that the lumber trade, from the expansion of which we have derived most of our new revenue, has benefitted at his hands; even he can only plead that he has not damaged it much. For the agriculturists, I have the farmers and their representatives on the floor of this House; for shipbuilding, his friends from the Maritime Provinces, and his own Trade Returns, will bear ample testimony to his efforts. What has been done for the fisheries? What has been done for mining? Where and when and how can he show that he or his Tariff has, in any shape or way, conferred any real serious benefit on any of those industries upon which a greater number of people depend for their subsistence than on any manufactories which have been, or are at all likely to be, encouraged or created in this country? Sir, I wish I could believe that this policy had been entered upon by this gentleman, or his colleagues, from an honest enthusiasm, or from a real belief that they were doing, on the whole, the best thing they could do for their country; but although I do not know what the hon. gentleman's sentiments may have been before Confederation, I do know what were the sentiments afterwards expressed by many of his colleagues on this subject, and I say this: that I do not believe I do them any injustice when I say that this thing has been taken up wholly and solely as a political cry, not because they honestly believe protection to be right and free trade to be wrong, but because they saw that it afforded them a better opportunity of making a successful raid on the Treasury benches than they otherwise would have possessed. I say if the hon. gentleman's object be to disgust our people, to incline our people to alter their political relations by preparing them first to enter into a commercial Zollverein, and afterwards into a political

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union with the United States, the hon. gentleman is likely to attain his end, as not a few of those gentlemen who encourage him know and believe. If, on the other hand, his object is merely to maintain himself in place, I tell the hon. gentleman that he and his colleagues have failed, not so much in this particular matter as from the odious measure which they have forced on an unwilling country a short time ago. But if his object be, as he says it is, to establish an important nation on this continent, I say from first to last his conduct, and the conduct of his friends, is marked by a perverse ingratitude which that is scarcely imaginable, although I hope in spite of his policy, in spite of those mistakes, in spite of the errors he has committed, Canada may become a great and important State; although I hope that—and I say in some respects it is hoping against hope—it is not by a policy involving the grossest possible injustice to every Province and every community, that we can expect to create a great and important state under the conditions which surround us here. Sir, I am sorry, indeed, to see my native country committed to a policy of retrogression which can only lead in the long run to the degradation of our people and to their serious injury; a policy which is not merely retrograde in its fiscal aspect, but is retrograde in every imaginable shape and way; a policy which has assisted in introducing to this country not merely trade monopolies which would disgrace the days of the Plantagenets and Tudors, but land monopolies worse than those from which the older countries of Europe are trying harder and harder, day by day, to emancipate themselves—and in addition those new monopolies of modern growth which the neighboring Republic finds it so difficult to deal with. I have to apologize to the House for having detained them so long, and I shall take an early opportunity to discuss in detail those minor proposals.

Mr. PLUMB moved the adjournment of the debate.

Motion agreed to; and (at 11:55 o'clock, p.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 21st February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BILL INTRODUCED.

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

Bill (No. 63) to incorporate the Montreal Board of Trade and Exchange (from the Senate).—(Mr. Girouard, Jacques Cartier.)

### CRIMINAL JUSTICE IN DISPUTED TERRITORY.

Mr. McDONALD (Pictou) introduced a Bill (No. 64) to continue in force for a limited time the Act passed in the forty-third year of Her Majesty's reign, intitled: "An Act respecting the administration of Criminal Justice in the Territory in dispute between the Government of the Province of Ontario and the Dominion of Canada."

Mr. BLAKE. For how long?

Mr. McDONALD. For only one year.

Mr. ANGLIN. That has not become part of Ontario.

Mr. McDONALD. Not yet.

Bill read the first-time.

## INDEPENDENCE OF PARLIAMENT.

Mr. BLAKE, in introducing a Bill (No. 65) to secure the independence of Parliament, said: The object of the Bill is to accomplish a result which I suggested in the debate on the Address, to prescribe as an act which is inconsistent with the retention of the seat of a member, his acting for profit or reward as the representative of persons in an application to the Government or in the settlement of differences between persons and the Government of Canada, or any of the departments of that Government.

Bill read the first time.

## PRIVATE BILLS.

The following Bill was considered in Committee, and reported:—

Bill (No. 7) to incorporate the Wrecking and Salvage Company of Canada—(Mr. Gault.)

The following Bill was considered in Committee, reported, read the third time and passed.—

Bill (No. 40) to incorporate the Bay of Quinté Railway and Navigation Company—(Mr. White, Hastings.)

The following Bill was read the second time:—

Bill (No. 61) to incorporate the Peace River Railway Company—(Mr. Macdougall.)

## THE GEOLOGICAL MUSEUM.

Mr. GAULT enquired, Have the Government given instructions to the staff presently engaged in removing the Geological Museum from the city of Montreal, to leave behind them the duplicate specimens, and into whose hands are they committed for safe keeping?

Sir LEONARD TILLEY. It is the intention of the Government that duplicates shall remain at Montreal, but it has not yet been decided in whose hands they shall be left.

## WHEAT ON THE SHIP "BOYNE."

Mr. GAULT enquired, Have the Government collected the duty on a cargo of wheat wrecked on board the ship *Boyne*; and if so, what is the amount collected?

Sir LEONARD TILLEY. I am unable to give my hon. friend an answer to that question. I have telegraphed to Quebec to ascertain whether the duty was paid, and what amount, but I have not yet received an answer.

## CULTIVATION OF THE BEET ROOT.

Mr. BOURBEAU enquired, Whether it is the intention of the Government to procure the publication of pamphlets on the cultivation of the beet root, and to cause the said pamphlets to be distributed among farmers?

Sir LEONARD TILLEY. It is now under the consideration of the Government.

## THE PACIFIC RAILWAY LAND.

Mr. BLAKE enquired, Has any application been made on behalf of the Syndicate for an alteration in the free grant and pre-emption system at present in force as to the alternate blocks along the line of the Pacific Railway? Has any understanding been reached on the subject? Has the Government decided on any change in this matter?

Sir LEONARD TILLEY. No application has been made on the part of the Syndicate for any alteration. No understanding has been reached on the subject, and the Government have not decided to make any change in the present arrangement.

## LICENSES FOR THE SALE OF CANADIAN TOBACCO.

Mr. VANASSE enquired, Whether it is the intention of the Government to issue licenses to merchants who should wish to buy Canadian tobacco in leaf?

Mr. MOUSSEAU. No application has so far been made to that effect; but were merchants to apply for licenses to buy Canadian tobacco in leaf, their application would be favorably entertained; but they would not be allowed to retail such tobacco; leave to buy tobacco in leaf would be only granted them as agents or middlemen between growers and manufacturers.

## MAILS BETWEEN ST. JOHN AND BANGOR.

Mr. BURPEE (Sunbury), in the absence of Mr. WELDON enquired, Whether the Government intend to arrange for mails being carried on the night trains on the St. John and Maine Railway, between St. John and Bangor?

Sir LEONARD TILLEY. Arrangements have been made with the St. John and Maine Railway Company by the Postmaster General for carrying the night mail.

## IMPORTATION OF TOBACCO SEED.

Mr. VANASSE enquired, Whether it is the intention of the Government to import tobacco seed from France or other countries, with a view of improving the culture of that plant in the Dominion of Canada?

Mr. MOUSSEAU. The Government has not any such intention.

## CARBURETTED HYDROGEN.

Mr. LANDRY enquired, Whether it is the intention of the Government to cause an examination to be made, by the Geological Commission, of that part of the Province of Quebec in which large quantities of carburetted hydrogen issue from fissures in the soil, and more particularly at Varennes, Louiseville and Yamachiche, and along the St. Maurice?

Sir LEONARD TILLEY. This is the first time this matter has been brought to the notice of the Government; they will take it into consideration.

## EXPROPRIATIONS ON THE CANADIAN PACIFIC RAILWAY.

Mr. SCHULTZ enquired, Whether it is the intention of the Government to settle at an early date with parties whose lands have been expropriated at the Red River crossing of the Canadian Pacific Railway?

Sir LEONARD TILLEY. It is the intention of the Government to do so.

## THE NEWFOUNDLAND FISHERIES TROUBLE.

Mr. MACKENZIE moved for copies of the correspondence between the Governments of Great Britain and the United States, concerning the alleged violation of the rights of United States' citizens by Newfoundland fishermen. Also, copies of correspondence between the Newfoundland Government and the Imperial Government. Also, copies of all correspondence between the Imperial and Dominion Governments respecting that subject. He said: I first beg to express my acknowledgments to the House for their kindness in permitting this motion to remain on the paper during my absence. It may be supposed, from the terms of the motion, that I am asking for some papers which do not strictly fall within the scope of this Government and to Parliament; but as I look upon all matters respecting the fisheries of Newfoundland as seriously affecting the whole fishing interest and the interests of the Dominion, I take it for granted that

The Government have secured copies of the correspondence that I have asked for, besides any that may have passed between this Government and the Imperial Government. It is tolerably evident, from the spirit manifested in the United States Congress, that they are disposed to push matters to extremes, and to insist upon the attainment of their object by the violation of municipal laws in our Dominion. Although Newfoundland is no part of the Dominion, I think it is the duty of this Government to watch with extreme care all that passes with relation to the fisheries of that Province, as concessions may be made, or principles admitted, which may very materially affect the other Provinces in British North America at a very early date. I would be glad to know from the Government what correspondence there is, and what ground the Government have taken on the subject, or if any representation has been made of the character I have referred to.

Sir LEONARD TILLEY. At the time it was expected that the hon. gentleman's notice would be moved, the leader of the Government was in his place and was ready to give an answer. As he is not here I am not in a position to state as clearly as he would have stated the nature of the correspondence. I can only say to my hon. friend that any correspondence that may have taken place, and that can be submitted, I am quite sure will be submitted.

Mr. MACKENZIE. Can the hon. gentleman say whether the Government of Canada have taken the ground to sustain the action of the Newfoundland Government?

Sir LEONARD TILLEY. Speaking from memory, I am under the impression that no special action was taken by Order in Council on the subject.

Motion agreed to.

#### HARBOR DUES AT MONTREAL.

Mr. McCUAIG, in the absence of Mr. RYKERT, moved for a return of all correspondence between the Government and the Harbor Commissioners of Montreal in reference to the dues at said port, and the charges for towage of vessels towed to and from the said harbor; also, all correspondence in connection with the enlargement of the canals and the opening up of communication between the seaboard and the inland waters of the Dominion, for sea-going vessels; also, all correspondence and petitions in connection with the reduction of tolls on the Welland and St. Lawrence Canals.

Mr. ROBERTSON (Hamilton) moved the adjournment of the debate.

Mr. BLAKE. I suppose this is because the hon. member in whose name the notice stands is absent. If it is to be understood that this is a sufficient reason for adjourning the debate, we had better drop the rule which requires these motions to be proceeded with after they remain. I think the motion ought to be dropped altogether or else proceeded with.

Mr. McCUAIG. The hon. member, Mr. Rykert, asked me to move this motion and then allow it to stand.

Mr. MACDOUGALL. I think we ought to treat this motion fairly. No doubt the hon. member who is absent desires to give his reasons for asking for this correspondence. It seems to me to be regular enough, since a debate has been commenced.

Mr. MILLS. I do not think that observation is suitable under the circumstances. The hon. gentleman put a notice on the paper and is not here to move it when it is called. According to our rule that notice should be dropped. As the hon. member for West Durham (Mr. Blake) has said, we might as well abrogate the rule altogether as to adopt this practice of evading it.

Mr. MACKENZIE.

Mr. DESJARDINS. The hon. member has a right to put that motion to the House, and then if another hon. member asks for the adjournment of the debate, I think it is quite regular.

Mr. BLAKE. I did not say it was irregular, but I asked why it was to be adjourned, and the answer came that it was because the hon. gentleman was absent. I stated that that proceeding was an evasion of the rule of the House, and I say so still.

Mr. McCALLUM. This is a question of great importance to the trade of the country, and I would like to see the debate adjourned.

Motion agreed to and debate adjourned.

#### THE WEIGHTS AND MEASURES ACT.

Mr. BERGIN moved for a return shewing the revenue derived from the Weights and Measures Branch of the Inland Revenue Department, and the expenditure on account of that branch since its establishment; also, accounts in detail of all instruments purchased for the use of the Weights and Measures Department, and of the expenses, on two occasions, to England, of the Commissioner of Inland Revenue; also, of the salaries paid to officers of the said branch. He said: In asking for this return I shall draw attention to the expenses of this branch of the Inland Revenue Department since its establishment, in 1873. I do so, not with the intention of casting blame either upon the late or the present Government, but for the purpose of drawing the attention of the House to the frightful cost of this branch, and the comparatively small revenue derived from it. I say comparatively because, although it was not anticipated in the first instance that any very large revenue, at all events, in excess of the expenditure, would be derived from it, it was always hoped the revenue would, at least, nearly balance the expenditure. Since 1873-4 we find that the expense has amounted to \$529,823, and the revenue to but \$123,911, or an excess of expenditure of \$406,000. I ask the House, *cui bono?* No department of the public service is so odious to the people as this branch of the Inland Revenue Department. Nothing but complaints are heard in every town and hamlet. That arises not from the law, but from the administration of the law, which has been bad since the outset, and though the administration has improved during the last year or two, the law would, if it the feelings of the people were consulted, be struck off the Statute-book. Extravagance has ruled in that department since its initiation down to to-day. I find that \$95,141.63 have been paid for instruments, almost one-tenth of which would have been sufficient for the absolute requirements of the department. There are over one hundred instruments for these deputy inspectors to go about the country with annoying people without conferring any benefit in return. The number of inspectors is sixty under the present system, and under the old ninety-three, with salaries ranging from \$500 to \$1,200. I would like to see some substantial proof of the benefit the country has derived from their labors. The returns show that inspections have been made in every county, township and town in this Dominion, and almost without exception the reports show that the weights and scales were correct. If I understand the law correctly, the inspectors had no right to make any charges against these people, if their weights, scales and measures proved to be correct, yet we know that extortion of the worst kind has been practiced on many, the charges in some instances amounting to from \$20 to \$25, not for adjusting the scales, weights and measures, because they were found to be correct, but to put money into the pockets of people who had no right, under the law, to make those extortionate charges. I think

it is well that some means should be taken to protect people against dishonest traders, but it is also well that the public should be protected against dishonest officers. In direct contravention of the rules of the department, these officers order dealers to bring their weights and measures to the hotel, or to the place at which they are stopping, where those weights and measures are sometimes kept a whole week whilst being adjusted, thus stopping the business of some towns and villages for that time. In the county where I reside, after the weights and measures had been adjusted by one inspector, another inspector came in the same year and had the weights and measures all inspected over again, at a varying charge of from \$1 to \$8 00. Is that the object for which the department was instituted? On looking over the list of instruments purchased in the old country, I am astonished at the prices paid for some of them. To Sir Joseph Whitworth, a great gun maker, I find we paid \$260.86 for a measuring machine. That instrument, which was purchased in 1878, has, I think, never been used and never will be used. For thermometers we paid \$19.22; they could have been bought here much cheaper. For standard barometers, we paid \$217.22, that might have been bought here just as good at less money. In 1874 and 1875 we bought engraving machines, and we bought measuring instruments and standard balances, the whole amounting to \$9,929.47. I would like to have an explanation of this expenditure. One may make the tour of this Inland Revenue Department, and will find instruments that cost thousands of dollars, and that have never been used, lying idly behind tables and curtains. I do not think it is worth while to read through this long list of instruments purchased, nor would it be well, perhaps, to shock the country too much by reading the list and prices paid. The apparatus of the gas branch cost \$30,096.34. We have gas inspectors in some parts of the country who have nothing to do. I believe in this district, except in the city, there is no gas at all. In connection with the purchase of these instruments in England, it is worth while to direct the attention of the House to the fact that these instruments should have been guaranteed perfect by the manufacturers, instead of our having had to pay for their verification. To H. W. Chisholm, for verification, we paid \$713.85, and an advance on account of \$486.67; to T. D. King we paid \$200; to H. J. Chancey, for books for verification, \$88.73; to H. W. Chisholm, for verification expenses, \$1,192.33; due by him, \$486.67; for sundries, \$28.55; or total charges in connection with verification, \$3,196.53. With the exception of \$288.73, the whole amount was paid to H. W. Chisholm, and this was for work which ought to have been paid for by the manufacturers. When we pay at the rate of \$100,000, the least the manufacturers should do, would be to guarantee their correctness. The country is not at all satisfied with the manner in which this inspection is performed. It would be well if the Government could revert to the old system, which it cannot, that of each county appointing its inspecting officers, great satisfaction would result, and a system which the people entirely disapprove of, and which brings the Government into greater disrepute than almost any other, would be done away with. I speak feelingly on this point, and because every man who uses weights, measures and scales in my constituency and in the neighbouring counties, feels that I should not mince matters in dealing with this subject. So I say to the House what these people say to me: that they look upon this as a scheme of robbery on the part of the officers of this department. I think that they go entirely too far, because I believe that many of those officers are honest, and err through ignorance; I know that those officers who force the dealers to bring their scales to their offices for inspection, act in direct violation of the regulations of the department, because they are instructed not to do so, but to go to the stores and inspect the scales, and not

put the dealers to any inconvenience in the matter. And if we look to the salaries paid to the officers in the different districts, and compare them with the small amounts they return to the department, we must say that most of the money is expended in keeping employes in office, who do next to nothing in return for their salaries. I am not putting it too strongly when I say there is a feeling in the country of intense dissatisfaction with the management of this department. It is believed that this branch of the Inland Revenue Department was established mainly to please the whim of the deputy head, who is looked upon, shall I say it, as almost a monomaniac on this point. There is no concealing the fact that he is a strong man, who has ruled almost every head of the department, and been the only man who has made anything by it. He had a large addition made to his salary for the purpose of conducting that branch, and he has a son or two in the department assisting him in its management. These are the people who are making money out of this system, and not the poor district officers after all, because they are paid by salaries, and their fees come back to the department. I think I am doing the Government a great service in bringing up this matter, because the heads of the department have been in the habit of relying upon the deputy head all along for faithful and honest reports as to everything that concerns the department. But it is not in the interest of the officers who are drawing large salaries and have whims, crutches, and designs to draw the attention of the Government to grievances which are rapidly injuring the Government in the estimation of the people. Unless something is done by the Government to remedy this matter, a great deal of trouble will be created in the country. There will be protests before this Parliament has expired from almost every section against this weights and measures branch of the Inland Revenue Department, and I think it would be well, even at the cost of superannuating the deputy head of the department, to get rid of the odium that the operation of this measure entails.

Mr. RYAN (Montreal). I am sorry I cannot agree with my hon. friend from Cornwall (Mr. Bergin) with reference to the effect of this law, than which, I think, there has been none more important passed of late years. I believe that it works well and is growing in the favor of the people every day. As a representative of the first commercial city in the Dominion, I have heard of no such dissatisfaction with the Act, as the hon. gentleman reports. If the deputy head of the department is a monomaniac, he has a method in this madness, because he takes good care to provide for several members of his family in the department. I believe there is not on the Statute-book a law more in the interest of the country than the Weights and Measures Act. Every honest trader must approve of the inspection of weights and measures. With regard to the alleged enormous expenditure in connection with this Act, it never was contemplated by any Government—certainly not by that of 1873, which introduced it, nor by the late Government, which put the Act into force—that the revenue derived from its administration would be sufficient to cover the expenses in connection with it. As a proof of that statement, I may say the present Government have reduced the charge to a minimum sum. The charge before was rather excessive, but was reduced by the late Minister of Inland Revenue, Mr. Baby. I believe that all that is required is a little more efficiency in the working of the Act, when the people would be in favor of it as it stands. Mistakes may have been made, more instruments obtained and more expense incurred than necessary, but I hope the Government will not change the law in consequence, but continue it. If there is any friction in the working of the law, I hope the present Minister will make it as acceptable to the people as possible.

Mr. BERGERON. I differ in opinion, on this subject, with the member for Montreal Centre. No doubt the law is a very important one, but I think its administration has not been good. What the hon. member for Cornwall says about it, I find from my experience in my own constituency, is right. I have heard our merchants say they have been very much annoyed by the inspection of the weights and measures. One merchant from Beauharnois says that his weights and measures were inspected in 1879, and that they were inspected again the other day, when the officer only verified the weights and measures, charging for the four sets \$4.35, a pretty high charge for the work. In 1879, before the present Act came into force, he had his set of weights carried away by the inspector, who assigned no reason for his conduct. I contend that while the law is in the right direction, its administration is far from perfect and it ought to be amended.

Mr. BECHARD. In my district, and in fact through the whole Province of Quebec, the Act has been unpopular, and although the Act was passed by hon. gentlemen opposite, I have felt it my duty to defend it in principle though its working was defective in some cases, as we were responsible for it in a measure, by putting it in operation. One complaint which is very commonly made against it, is that when a merchant's weights are inspected the second time, even if they are found correct, the expense of the inspection falls upon him. I suggested to the Minister of Inland Revenue in Committee of the Whole last year that the law should be so amended that if on a second inspection a merchant's weights or measures are found correct, he should not be called on to bear the expense, and upon that occasion the Minister said he would act upon the suggestion.

Mr. WHITE (Hastings). I contend that it is the right and the duty of those members who come from districts in which their inspectors have not done their duty, to complain of the conduct of these officers. If inspectors require merchants and others to call upon them at their hotels and bring their weights and measures with them, then I say they are violating the spirit and intention of the Act. I must say with regard to the district which the hon. gentleman (Mr. Bergin) represents, either the people there are dishonest or the officer is not doing his duty; one or the other must be the case. In my district the chief and his officers go to every store, grain warehouse, ashery and other such establishment in which scales and measures are used, and stamp them, and they only charge the amount which the Government allows. It is said that the Act was passed by the present Government when they were in power before, that it was put in force by their predecessors, and that it has been amended by the present Administration. The late Government did what they believed to be right; but they appointed officers who required merchants and others to bring their scales to them, and then if any repairs had to be made they hired men to execute their repairs, and the people had to pay too much for them. I would not be surprised to learn that the hon. gentleman who complains appointed the officer who, he says, is not discharging his duty, and if that be the case he should have him removed, and have one appointed who would act according to the law. With regard to the loose way in which test measures have been bought in London, I believe that is wrong, and I believe the Government should keep a closer hand on their deputy heads and see that they discharge their duties better than some of them are now doing. It is a fact that these deputy heads of departments are trying to rule and control the whole country, and unless they are made to feel the determined check of the people's representatives, the evil will increase and result in ruin to the country. These gentlemen are constantly whining and complaining that they have not high enough salaries, that they have not sufficient influence—in fact, as I said before, their desire seems to be

Mr. RYAN (Montreal).

to have general control. I am happy to say that in the district from which I come no one complains, except those who have been using false measures and robbing the country, and they are brought up in the police court, and very properly made to suffer the consequences of their dishonesty. I trust the Government will try to amend the law, and that these members who have been the means of having the wrong sort of men appointed as officers will endeavor to have them removed. If the Government do not remove such officers they are certainly deserving of censure; but I do not believe the Government will keep any officer unless he thoroughly discharges his duty.

Mr. FARROW. I desire to say a few words on this question. I think that the Act has worked admirably well; and in cases where it has not worked as smoothly as might be desired, it will be found that the trouble is that the people do not understand its operation. I find, however, that the people are beginning to comprehend the meaning of the Act; that they are, in other words, drinking in its spirit; and I am confident that before long the measure will work with general satisfaction. I desire to give a few figures, which will enable the House to compare the operation of the present system with that which preceded it. My district comprises the counties of Leeds, Kent, Lambton, Perth, Huron and Bruce. I find that the actual work of inspection under the new system began on the 6th January, 1880. The contingent expenses during that year were \$1,400; salaries \$2,000; total expenditure, \$3,400. The receipts were \$3,000, leaving a deficit of only \$400. I believe these counties may be taken as a fair criterion of the working of the Act, and I will now show how the figures stood under the old system which was in operation in 1879. In that year the expenses were \$3,855, the receipts only \$682; showing a deficit of \$3,173, or about eight times the deficiency of last year. Now what do the people complain of? The people complain of nothing when they understand it. They did complain of the arbitrary action of the inspectors. They would enter places of business and order the dealers to take all their scales to certain places for inspection. They were not sufficiently accommodating to go to the stores. Now, however, the inspectors were accommodating, and visited the stores; and I can assure the House that the Act is working with much less friction than under the old regime. Now, as to the necessity of the Act. In making purchases, people wanted proper weights and measures. In my district out of the number of weights examined 80 per cent. were light, and only 5 per cent. too heavy. The House can judge from that fact how the people were cheated—I do not say cheated wilfully—but the fact I have stated remains. Another change made was from wine to imperial measure. This involved expense to the merchants in compelling them to obtain new measures, and, of course, they grumbled; but when they got their customers inoculated into the new order of procedure, everything worked smoothly, and the Act is now running like clock-work. I hope the measure will not be repealed or tampered with, because I am confident that within a year or two everybody will be satisfied with this Act, which reflects great credit on the Government.

Mr. HESSON. As a representative from the same district as the hon. gentleman who has just spoken, I desire to express my concurrence in his remarks, for my personal knowledge coincides with his statements as to the working of the present Act. It is true that the first attempt to improve the old system, which was inaugurated by counties, towns and villages, which formerly controlled the inspection of weights and measures, resulted in the passing of an Act which was very unpopular. Speaking from personal knowledge, I am safe in saying that one half of the business men who had their weights and measures inspected, would

have voted against the Government, although their friends, on account of the working of the Act. I am not prepared to say that the late Government was entirely responsible for that feeling, because all new Acts are unpopular for a time. As the public became cognizant of the provisions of the measure, they recognized the benefit intended to be conferred, and began to like the Act better. It is true there are some districts still where it works very badly and where it fails to give satisfaction; I refer more especially to the inspection of hides. I know with certainty that under the regulations instituted by the department, the Act is working in a very unsatisfactory manner, and a large petition was forwarded to me for presentation to the House, but which I have not presented, because I received information that led me to withdraw it, viz: that certain changes would be made which would prove satisfactory. The difficulty lies here. In some districts inspectors are given control of large sections of country, and sub-inspectors should be appointed in the villages. The result of this arrangement has been that the large towns where the inspectors are appointed have been deprived of a large business in hides. These are now sold in the country stores and tanneries, and they do not reach the towns where formerly the trade was conducted, and where the inspection is now very severe indeed, and where the parties who bring hides to market are subjected not only to a certain fee, I believe five cents per hide, for the inspector, but three or four pounds of refuse are cut off, which the inspector claims to be his perquisite. The inspector, moreover, has the authority of putting his own brand as to the quality of the hides. In the case of sales made to American buyers the inspector is not considered sufficient evidence of the value of the hides, and the market price is not thereby settled. Nevertheless, I think the Act will work well, and it is in the interests of the public that it should be continued for a time. It was unfortunate that the measure was introduced too soon, because it was only attempted in a few counties, whereas it should have been made as nearly as possible uniform, in order to give general satisfaction. I presume that arose from the fact that the late Government was not in possession of all the standards of weights and measures required to establish the various districts; consequently, they were given a great deal of blame. I trust the Act will be continued, and it will be the duty of the Government to improve it. The hon. mover of the resolution, the member for Cornwall (Mr. Bergin), explained that the Act was working badly in his section of the country, and I think the attention of the Ministry should be drawn to that, and, if necessary in that particular locality, to keep a sharp look out that the gentleman there does his duty, and then I believe the Act will be a success.

Mr. McCUAIG. I wish to bear my testimony to the meritorious manner in which the officer in my county did his duty, though he lost his position under the new arrangement. He is opposed to me politically, but he told me that all the additional expense had arisen in consequence of the impracticability of the law. He said that if he had not been interfered with by the head office at Ottawa there would have been no difficulty in my county. In my opinion this Weights and Measures Act is necessary to guard the public against dishonest tradesmen. But I am satisfied that since the changes were made in the law last year it has not worked well, particularly in the County of Prince Edward. The present law groups several counties together, under the charge of one inspector and two deputy inspectors, to look after five or six counties. I am of opinion that the additional travelling expenses incurred by these deputy inspectors in going from one county to another will exceed in amount what we would have to pay for the services of one inspector in each county. In my district we were paying, under the old system, \$2,500 a year for one local inspector for each of the counties of Northumberland, Durham,

Hastings, Prince Edward and Peterborough; I understand that the inspector now receives \$1,200 a year, and the two deputies, \$600 each, to say nothing of their travelling expenses. Under the former system, we had an inspector in each county, and it cost us less than we now pay three men for five counties. In the County of Prince Edward there are men who have been in the Customs for twenty-five years, who are only receiving \$250 a year, yet, in point of education and social position, are certainly equal to any inspectors I am acquainted with. I think it would be better that there should be one local inspector in each county, and if necessary the salaries might be reduced to make the total five equal to what is now paid to three inspectors. To show the working of the present law, I am informed that some traders, after receiving visits from the inspectors to whom they show the new standards, immediately resume the use of the old standards after the inspectors have departed. This could not take place so easily if there were a resident inspector in each county.

Mr. DECOSMOS. While the subject of weights and measures is before the House, I desire to call the attention of the Government to the fact that before British Columbia was united to the Dominion, it had a law respecting weights and measures. That law has been repealed, and although application has been made every Session by the members from British Columbia, for the appointment of an inspector of weights and measures, and for the enforcement of the Dominion law, nothing whatever has been done. I sincerely trust that the Government will put the law in operation by appointing an inspector.

Mr. MOUSSEAU. This is the first time the Government have been informed that British Columbia has no inspector, and that the law is not enforced in that Province, and I shall enquire into the matter. With reference to the observations which have been made on the motion of the hon. member for Cornwall (Mr. Bergin), I may say that a law for the inspection of weights, measures, gas, and so forth, is always at first very unpopular, because it has to deal with numerous abuses and to incur the dislike of people who live by those abuses. The hon. member's first complaint is that we expend on this law half a million foolishly. I must challenge that assertion, and say that it is one of the most useful expenditures a Government can make. Why was this Inspection Law passed? It was because there was much cheating and deception in trade, and because the grocer did not give full weight to the laborer, and because grain buyers frequently bought grain from farmers with improper measures. I know of one town in Western Ontario where the farmers, on account of the dishonest or erroneous weights of the grain buyers, lost five cents a bushel on their grain, and this was in the centre of a district where hundreds of thousands if not millions of bushels of grain is raised. In some cases people lost and in other cases people gained by the operation of this law. The hon. gentleman says the officers are sometimes unoccupied. If they are they are none the less useful, because it is the knowledge that these officers are in existence watching the operation of the law, that induces the people to put the law into execution. When the Estimates come before the House, the Government will be in a position to answer all the questions raised by the hon. member for Cornwall, with reference to the expenditures, the increase of the salaries, and the whole machinery of the law. When the hon. gentleman says no benefit has been derived from the operation of this law, commensurate with the large expenditure incurred to enforce it, he made a reckless assertion, for great benefits have been derived from its operation all over the Dominion. I know many counties where at first there was strong opposition to the enforcement of the law, but where it is now looked upon most favorably, and I was glad to hear many members of the House testifying to the good

results which have followed its enforcement. It has been alleged that the officers of the Inland Revenue Department have been guilty of extortion. Well, that is a very serious charge against an officer of the Government, and if my hon. friend will send to the department the names of any officers who have used their positions to extort money, I think the Government would at once deal most severely with these officers. But if there was extortion, I think it was not attributable to the officers, and it is precisely because the inspection of weights and measures puts a stop to these extortions and deceits and errors that the law is so unpopular in some quarters. I think, then, the law will gain in popularity through practice. It may require to be amended in one or two ways, but even according to the speeches made by hon. members, the law is more practiced than criticized. I do not like these attacks which have been made on the Deputy Minister. None but serious specific charges should be preferred against a gentleman holding that position. We must not forget the importance of those officers. Mr. Brunel is a very efficient officer, well posted in all the details of his office, and one of the best officers in the Government employ. It is not fair to attack him because he is anxious to do his duty and see that the law is enforced. A deputy head of a department occupies a very peculiar position. He is the man who, according to the Yankee expression, runs the machine. What would Ministers be without deputies? Ministers enter and go out of office on the wave of public opinion and are seldom long enough at the head of a department to become entirely master of its business; so that they must have somebody on whom they can depend, and that person is the Deputy Minister. Mr. Brunel is well entitled to be defended from the attacks made on him. He has been long in office, and is a clever officer, who always does his duty in a most conscientious manner. I do not wish to be understood to say everything is done admirably in the department. Inspection laws are always unpopular, because their enactment entails the correction of abuses. I have not the slightest objection to the motion being adopted.

Mr. BERGIN. I only wish to say a few words in reply to some four or five hon. gentlemen who have said the law has worked well. As I said, in asking for these returns I found fault not so much with the law as with its administration; and that so few have been found to bear testimony to its good administration, proves conclusively that my strictures were quite correct. I was astonished to find the hon. member for Montreal bearing such strong testimony in favor of the administration of the law in his constituency. The Montreal papers are full of complaints about its administration. Over and over again depositions from the manufacturers of scales and weights and the wholesale dealers in that city have complained of the maladministration of the law by the deputy head who controls the department. We were told by the hon. member for North Huron (Mr. Farrow), and I was glad to hear the statement, that instead of the dealers in his county bringing their scales to the inspection officer to be adjusted, the officer visited the establishments. I wish that were the case in the county I have the honor to represent. The chief argument advanced in support of the law is that it provides honest weights and measures. I deny that; for the moment the inspector leaves the store the store keeper can put a little bit of wax on one side of the balance and down it goes. It is impossible, under the present system of inspection, that anything like accuracy can be provided in the case of dishonest traders. The hon. member for East Hastings said the traders in my county were dishonest, because they complained against the inspection of weights and measures. It may be that in his county only dishonest traders complain, but in mine there is not a trader who has a reputation for dishonesty. I know the men who have complained to

Mr. MOUSSEAU.

my constituency. They are men of unimpeachable integrity, who, unless the enforcement of the law were unnecessarily oppressive, would in no instance make a complaint against it. With regard to the charge of extortion which I made, I repeat that charge. It may be that the officer who exacted these fees acted under authority, but I do not think that under the law he had a right to exact the fees he did. I stated distinctly he had no right to make the dealers come to his hotel or stopping place, nevertheless he did so. I say that the Deputy Minister does not see to the proper enforcement of the law. I would call the attention of the House to the feeling of the country with regard to the deputy head of the department. It may be the first time in eight years the hon. Minister has heard such charges made, but it would be in the interest of the country they had been made before. I believe it would contribute very much to the improved administration of the department, if the deputy head, upon whom so much depends, would manage it more in the interest of the country and less in his own interest. In connection with this subject, I trust when the Minister brings down his return, he will not omit to produce the full vouchers for the expenditure of that Deputy Minister during his two trips to England, because I imagine the people will think he could have very well gone to England for a much smaller sum than \$4,000. That was rather an expensive holiday trip for this country.

Mr. CURRIER. I have always been opposed to this Inspection Law from its first introduction, and see no reason to retrace my steps. The \$500,000 that the member for Cornwall mentions has been a tax on our people, and the \$150,000 a year besides, is an additional impost. The question is, whether they obtain the benefits they ought to receive for this expenditure? I do not think so. I think that, under the old system, when the inspection was under the municipalities, the people were as well satisfied as they have been since. My experience is, that the people in these matters look out for themselves and see that they are served from good weights and measures. I know of no class sharper in looking after their rights than the farmers; and I do not think it would be possible for a merchant long to carry on his business with them if he used dishonest weights and measures. The people have to bear the burdens of this law. For a few years after it came into force there were many complaints of it, but latterly there have been but few, the people having become accustomed to it. I believe it would be as well to return to the old system of leaving this matter in charge of the municipalities.

Mr. WRIGHT. I must say that I have heard no complaints under the new system. Under the old system I heard very many complaints. The people whom I represent have been treated as though they were the inhabitants of a conquered country. The inspectors went about taking possession of their weights and measures, and behaving in the most rude, insolent, and tyrannical manner. I have statements to this effect from almost every respectable merchant throughout the length and breadth of the county of Ottawa, without distinction of politics. I might mention Mr. Prentiss and Mr. Devlin, of Aylmer, belonging to the Liberal party, and all the Conservative merchants throughout this constituency. I think the member for Cornwall deserves a great deal of credit for bringing this matter before the House, and I think that the deputy heads of departments ought to be occasionally well watched and have checks imposed on them by the House in matters of this kind, in the interest of the public.

Mr. MACDOUGALL. Under our parliamentary practice, notices of motions for papers which hon. gentlemen assume will be refused, affords them a good opportunity for airing grievances, and I think this a very good arrangement, because it affords us an opportunity of expressing the feelings and views of our constituents with reference to the

operation of laws which we pass; and it is also fair to Ministers who, by the multiplicity of their engagements in the administration of affairs, have not the same opportunity that we enjoy, of ascertaining the practical operation of the laws which operate over the whole country. I am very much pleased that my hon. friend the member for Cornwall has, in his somewhat demonstrative manner, brought this matter under the notice of the Government, because I think that those who have had an opportunity of witnessing the operation of this law, and of hearing the complaints made, not by those engaged in trade, and who might be presumed to be partial to their own objects, but by other persons who have been observing its effects, and who feel the importance in a public point of view of making its administration as efficient and economical as possible. These are complaints which deserve our attention. Certainly, I have heard complaints of this law in districts of Ontario which I have visited—I will not attempt to speak for any other Province. I suppose we must admit, in the first place, that, under our Constitution, the laws with reference to weights and measures in the Dominion must be enacted by this Parliament. The Constitution has imposed upon us this duty, having withdrawn it from the Local Legislatures and municipalities to which it previously belonged. A law defining what weights and standards shall prevail in the Dominion, must be enacted by this Parliament. Measures to this effect passed by any other authority would be inoperative. There must, besides, be provisions in any such law for the punishment of its violation. All that is necessary under our system. Our law appears too voluminous, and possibly may be too complicated, and consequently the cause of great expense. But that we must have inspection and ready means of punishing those who defraud their neighbors by a non-compliance with the law in respect of weights and measures, must be admitted on all hands. This question is, I think, a very proper one for consideration by the Government. Whether, even with the amendments that have been made in the original Act, it is not yet too expensive—whether this enormous amount expended every year, and which represents, say the interest on a very large capital, because it is annual expenditure, could not be diminished—whether some simpler, and at the same time more effective method of inspection could not be devised. I have heard practical men say our system is a total failure, as, when the inspector has turned his back, the fraudulent dealer may resume his evil practices and continue in them till the inspector makes another visit. So there may be only a seeming compliance with the law; and so we are paying annually a large sum for securing the public against fraud, when, in point of fact, we are but deceiving ourselves as to the results. I think, in view of the complaints made, not by those who wish to avail themselves of the laxity of the law, for the purpose of cheating their neighbors, but by honest, intelligent citizens who desire to see simple and inexpensive laws enacted and administered, it becomes necessary for those in charge of the department to enquire into this matter and devise a remedy—first, in the direction of economy, and, second, in the direction of efficiency. I am not satisfied with the operation of this law. I think it fails to meet the great objects which such a law should accomplish. It is well, therefore, that members conversant with any defects in the administration of the law should present them on the arena where discussion may take place, information be given, and Ministers and their subordinates in the departments be instructed and advised in regard to the complaints of the public. But we must maintain the law in the Statute-book, with the provisions that punish fraud, which policy must involve some expense. If the expense be greater than necessary, it is the duty of the Government and the House to lessen it, if possible, at the earliest day.

**Mr. ROCHESTER.** I have so repeatedly brought this question to the House, that I did not intend to have referred to it to-day, but for some remarks made by the President of the Council (Mr. Mousseau). The hon. member for Ottawa County (Mr. Wright) has stated that a great many grievances have been experienced by the business men of his county—

**Mr. WRIGHT.** Under the old system I said.

**Mr. ROCHESTER.** All I can say is that I can corroborate the remarks of the hon. gentleman, for the same thing is true of the city of Ottawa, of the county of Carleton, and I believe of every county in Canada. It was not anticipated that the law would be very popular at first, but it has been rendered more unpopular than it otherwise would have been by abuses in its administration. By instructions from the department, the inspectors walk into a man's place of business, and whether he has one set of scales or ten, they are taken away. I know of some firms in the city of Ottawa, who, the year before, paid over \$100 in England for the best weights and measures, and they were taken away by the inspector and, as he said, by the order of the department, or rather I should say by the deputy-head of the department. The deputy head of that department is known from one end of the Dominion to the other. He was not very well known some years ago—in fact, until this Act came in force. I said then, on the floor of the House, that that gentleman would be pretty well known in twelve months, and events have shown that I prophesied truly. Members from every part of the Dominion are crying out against the abuses which are taking place in the administration of the law. The President of the Council (Mr. Mousseau) has eulogized the Deputy of the Minister of Inland Revenue in language which that gentleman does not deserve, for if there is one man in this Dominion detested above all others, by those who know him, that gentleman is the man. I will mention an instance to show his conduct towards those whose servant he is. A large and respectable delegation went to the Department of Inland Revenue, with regard to some matter pertaining to that branch of the public service. Upon applying to the Minister, who, of course, is not so well up in all the details of the department, and who has to depend a good deal upon the deputy, they were requested to call upon the latter, and then see the Minister again. The deputation—who, if I chose to give their names, would be pronounced as respectable a body of men as ever visited Ottawa—accordingly called upon the deputy-head of the department; their spokesman related their grievance to that gentleman, who sat in his arm chair like a lord; and the only reply he condescended to make was, that they had better take the next train home, or he would make it worse for them. That is the conduct and the language of a gentleman whom the President of the Council has eulogized as being so efficient an officer. This happened some years ago; I cannot now give the date, but I could very soon ascertain.

**An hon. MEMBER.** He has more weight now.

**Mr. ROCHESTER.** The worse it is for the country then. I think the Act itself is a good one if it was properly administered, and, though I have heard some complaints within the past twelve months, they have not been nearly so numerous as before. Some complain that the inspectors require merchants and others to bring their scales to them for inspection, and I think if that is the case the complaint is well founded, as it should be the duty of the inspector to go to the merchants instead of having the merchants come to him. One abuse of the Act is in requiring that all the scales, &c., should be of one particular character, and I know of cases where business men have had to expend hundreds of dollars on that account. I remember that at one time

no measures were allowed by the department except a certain kind which were manufactured at Hamilton, but I believe that that regulation does not exist now. I did not intend to have said anything on the subject, but for the remarks made by the President of the Council with regard to the deputy head of the department, which I think were uncalled for and out of place, for a more uncivil man is not to be found in these buildings than the Deputy of the Minister of Inland Revenue. I think in such cases as this it would be well for the Government to appoint a Committee to investigate the causes of the abuses which have arisen with regard to the administration of the law.

Mr. WHITE (Renfrew). I think it is pretty generally the opinion that some such measure as the present Weights and Measures Act is necessary to prevent the interests of buyers and sellers from being interfered with by dishonest traders. What we have to consider is whether the law is as economically administered as possible, and in such a manner as to render it as popular as possible. With regard to my own county I must say that the deputy inspector of weights and measures discharges his duties in such a manner as to increase the popularity of the Act. He has done as little as possible to interfere with the rights of traders in that county; and it seems to me that if these officers were to interpret their instructions as they should be interpreted, and as they ought to be interpreted, the law might be carried out with no inconvenience whatever to the honest trader. It is true that traders may feel that the inspection fee is to some extent a burden upon them, but we all feel that with regard to taxes of every kind; when the Stamp Act was under discussion, some said that it ought to be abolished, but we must all bear our proportion of the taxes which are imposed for the proper administration of the laws of the country, and this law being a necessary one, I do not think that traders ought to complain of the amount of the fees imposed upon them. It has been said by the member for Halton (Mr. Macdougall) that under the present system there is no guarantee that the inspection of weights and measures will be effective in preventing dishonesty. Under the old Act, as it was administered by the officers of the different municipalities, no greater guarantee existed than that which exists under the present Act. As this House is aware, we have no power to impose on the municipalities the duty of appointing officers to carry out the provisions of this Act. I know that under the old system of appointing country officers by the municipalities, those officers performed their duties in a very perfunctory manner. I think since the present system has been introduced the inspection has been performed more effectively in the interest of the country, and with more satisfaction to the traders than it was under the old system. I am pleased to hear the President of the Council state that he will be prepared to give details of the expenditure for the standards when the Estimates are under discussion, because I am one of those who believe that a much greater sum of money has been expended in procuring those standards than was absolutely necessary. I do not think the duties of inspectors would be satisfactorily discharged for a less sum than those gentlemen now receive. The deputy inspector in my county has a very large area of territory to go over, and he receives but \$500 per annum. He discharges his duties properly and efficiently, and I do not think any person could be secured for a less sum who would discharge them so well.

Mr. LONGLEY. I think this subject is of sufficient importance to justify a little more being said. I have not one word to say against any person connected with that department. Probably they discharge their duties very well, but in regard to the department itself, of Weights and Measures, I never have believed in it, though I have heard those who know more about the matter than I do, say that

Mr. ROCHESTER.

it was highly important for the protection of the people. However, I hold a very strong opinion that the people here never got anything like an equivalent for the money they have paid. I share, to a large extent, the opinions expressed by the hon. member for Cornwall. I would not go the length of advocating the abolition of the office, and yet I would not say that I would not do so to-morrow. The hon. member for North Hastings (Mr. White) said that his officers do but as little as they can possibly do, and then he went on to talk about seeking to make the law acceptable, &c. Now, I believe it can scarcely be denied that, looking back over the interval of a few years, the officers of the Weights and Measures Branch of the Inland Revenue Department have done just as little as they could do, for the simple reason that the law was obnoxious, and the Government, instead of inducing them to discharge their duties, rather held them back. I think it will continue to do so until some means are devised by which the odium attached to that department can be mitigated to some extent, and until the expenses connected with it are greatly reduced. I believe the popular sentiment of the country will be decidedly against this service. I am going to say something now which I think will apply to all the departments. I shall be a little mistaken if we do not before many years reach this point, that there will be an all-pervading conviction in the minds of the members of this House of the necessity of economy, not in reference to one branch of the public service, but in reference to every branch. I hold a strong opinion that when we do begin that we should begin with ourselves, because the country will not give us much credit, if we go to work and reduce the salaries of Civil servants and others while leaving our own salaries untouched. I said last year upon this subject, that I believe we could save a million dollars annually without impairing the public service, and, having given a little attention to this branch of the subject, I am prepared to reiterate that statement to-day. We are not going to live many years before the country will demand this of us. I believe it will be very useful to invest a few thousand dollars in distributing some of these Blue-books over the country, so that the people would have an opportunity of showing how much money is paid for the support of the various departments of the Government, beginning with the administration of justice, and going down through the collection of customs and into every branch of the public service.

Mr. SPEAKER. I think the hon. gentleman is wandering from the subject.

Mr. LONGLEY. If you turn your attention to the Blue-book you will see that I am quite in order. Now, let us begin with the Commissioner, who receives \$3,200 a year.

Mr. PLUMB. He receives \$4,000.

Mr. LONGLEY. So much the worse. I am being guided by the figures before me. The Assistant Commissioner receives \$2,400 a year; £600 a year is a very fair salary for an assistant. Then the first clerk gets \$1,837. When we compare these salaries with those received by quite as good men outside, to say the least, one is greatly impressed with the vast disparity that prevails. Four senior clerks, \$4,000; five first-class clerks, \$3,750; then four senior second-class clerks, \$4,437; seven junior, \$6,200, all footing up to \$28,150. Although the officers of this department are distributed all over the country, they do very little for their salaries. The more they do, the more unpopular the Act becomes. Unless the department is revolutionized and made more generally useful and less obnoxious, the sooner it is abolished the better.

Mr. ROBERTSON (Hamilton). I desire to endorse what some hon. gentlemen have said on this question, and to state that this law, as administered, has been giving a great deal of

dissatisfaction in the constituency I represent. Formerly it gave very much greater dissatisfaction than it is giving at present, although there is great room for improvement yet. We have in Hamilton two or three large scale factories, and the rules and regulations of the department require that before any scales leave an establishment they must be inspected and made ready for use. After that is done and the fees are paid upon them, and they are shipped to another part of the country, the deputy inspector of weights and measures there insists on re-inspecting these articles and charging another fee. This is a great grievance, which the Government should remove. The inspection of the scales at the factory ought to be sufficient until they are set up for use and the ordinary visit of the inspector at the place where used is made. I am surprised to hear the hon. member for Carleton (Mr. Rochester) say that only measures made in Hamilton are received. Why, it has been complained in Hamilton that only measures made in Toronto are inspected. The difficulty arises in this way: There is a regulation of the department requiring all measures to be made of a particular kind of material. But that is not carried out in all cases. In Toronto, for instance, the inspector will accept a class of material which will not be accepted by the inspector in Hamilton, and the Hamilton manufacturers of measures complain that they are at a disadvantage because they are not permitted to use as cheap material as the Toronto manufacturers. Another absurd regulation is that when goods are brought to market for sale, such as berries, which are usually packed in boxes, they must not be sold unless the packet is sold with them. If a woman comes to market with a pail of berries, she cannot sell the berries unless she sells the pail also. But that regulation is so unpopular that it is broken every day.

Mr. BOWELL. Why must she sell the pail?

Mr. ROBERTSON. It is the rule of the department.

Mr. BOWELL. Oh, no.

Mr. ROBERTSON. I can assure the hon. gentleman that is the fact. It is one of Mr. Brunel's rules, whether it is the law or not, but my recollection is that it is a statutory provision. There is no doubt a great deal of truth in what my hon. friends from Cornwall (Mr. Bergin) and Carleton (Mr. Rochester) say with reference to the deputy head. I have nothing to say of that gentleman, except that he has the credit of making the most extraordinary rules and regulations and of changing them in a week, so that, with such constant changes, people do not know what to do. That he has made the law a most obnoxious one, there is no doubt, and I think the Minister should have a thorough overhauling of the rules and regulations of his department with the view of making the law, which is a good one, work more smoothly.

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

#### AFTER RECESS.

Mr. PATTERSON (Essex). The discussion has taken a very wide range, including the cost of the civil government of the Dominion, and we have had the Deputy Minister of Inland Revenue dragged into it because he sat on his seat like a lord. I am not much acquainted with lords; they do not grow very plentifully in the part of the country from which I come. They may grow more plentifully in the County of Carleton; but the few I have seen were most unpretentious men, who sat in their seats like very ordinary citizens. In justice to the Deputy Minister, with whom I have but a limited acquaintance, I must say that when I had occasion to go to the department, I found he dealt with me in a prompt, business like manner. I do not think this is the proper place for personal attacks on the deputy. I do not think he occupies a very enviable position. In fact, taking one consideration

with another, the life of a deputy head is not a very happy one. He stands between the hon. Minister and the politicians. He has got to refuse a great many things; he has to bear the odium of things which properly should attach to his political chief, and in many instances his salary is altogether inadequate. The hon. member for Annapolis embodies in his attack on the method of administration of weights and measures in his part of the country, an attack on the Department of Inland Revenue in the matter of officials' salaries. But from what I have been able to glean from the Public Accounts, my opinion is that the great revenue producing departments are the departments that are the least paid in the public service; and in a department, such as the Inland Revenue Department, which produces a revenue of about \$5,000,000, we cannot expect to get gentlemen to combine the pay of a porter with the responsibility of a bank manager. I think there are other departments the expenses of which can more properly be cut down, and I will be very happy to second any effort of the hon. member for Annapolis in striving to curtail the public expenditure in such branches. If the hon. member wishes to commence with ourselves, I will support him in that also. I shall but make one exception, and that is in favor of the hon. member for Annapolis himself, for an hon. gentleman who puts himself to the inconvenience of changing his abode, even temporarily, from Paradise to Ottawa, as he has done, should, I think, not be mulcted, in addition to his other sufferings, of his public indemnity. I can quite corroborate the remarks of the hon. member for North Huron with reference to the working of this measure in the district in which I live. I have heard no complaints made there. That district has been thoroughly and efficiently inspected—if the efficient carrying out of the law is what is necessary. As far as the Act itself, I think now, as I always thought, that it is premature, that it is not needed in our sparsely settled country. We cannot put on the Mackenzie Administration the responsibility of the working of that law because the most objectionable feature came into operation under this Government. That was the substitution of the Imperial measure for the wine measure. To connect ourselves more closely with our neighbors on this continent, we adopted their system of decimal coinage; and to separate ourselves from them we introduced the imperial and rejected the wine measure. I do not know how the change will operate in the interior of the Dominion, but it causes great inconvenience in the border counties. I think the responsibility should be thrown where it belongs, not on the deputy head of the department, but on the Government which introduced the scheme and are now carrying it out. The inspectors, I believe, as a whole, perform their duty faithfully. I do not think a Minister or a Deputy Minister of Inland Revenue can be popular. They have, especially the deputy, to sacrifice popularity to duty. I am satisfied the present deputy has strength of mind to do this. The only popular Minister of Inland Revenue that I ever heard of, and he was only a prospective Minister, was Jack Cade. He promised that a pint measure would contain a quart, but we never had an opportunity of testing whether he would fulfil his promise or not. That wave of popularity of which the vicarious Minister of Inland Revenue, the hon. President of the Council, speaks, sent poor Jack Cade high and dry, and we never realized the pint measure that would contain a quart. As a matter of fact, the inspectors are trying to do their duty, and should not be blamed for the unpopularity of this measure.

Mr. ARKELL. I believe this Act has been unpopular from its initiation. It was more unpopular under the late than under the present Government, because the charges were then more excessive. I believe we have got them now down to a more reasonable figure. All the counties in general were not thoroughly inspected. From some of the

divisions the receipts were very small compared with the large expenditure. If the Deputy Minister would see that the inspection officers discharged their duty in the different divisions, the measure would become self-sustaining in twelve months. I would be sorry, after this Act had been in force some time, to see it repealed. If the officers are not competent to discharge their duties they will make the Act very unpopular, but if competent, it will become popular. I shall be very sorry to see the Act repealed until it has had a fair trial as now working.

Mr. ROSS. I do not rise to find fault with the Department of Inland Revenue, or with the deputy head, so far as the administration of the Weights and Measures Act is concerned. In the discussion this afternoon it would appear that this little difficulty is merely a family quarrel; and, perhaps, I should have rested content to allow gentlemen on the opposite side to settle this little difficulty for themselves. I will give those hon. gentlemen a chance. I remember when the administration of the Weights and Measures Act was in the hands of the late Administration, and when there was no end of complaint. Of course, now that it is administered by hon. gentlemen opposite themselves, they are becoming familiar with those complaints, as we were when we sat on the Ministerial side. I think there is a great retribution, however, in the troubles which annoy hon. gentlemen opposite in this matter. The Act was one of their own making, and the large amount of trouble which now confronts them arose from their wholesale dismissals of the inspectors who had served for several years in the administration of the Act as it existed previous to 1878. It appears now, at least from my limited observation, that the chief trouble arising under the Weights and Measures Act is from the incompetence of the gentlemen recently appointed inspectors. In my own district we had an inspector who, although he enforced the law vigorously, still did it in such a way as not to create any discontent. Besides, his administration of his department was, I think, in conformity with the law. I have in my desk a number of letters received since the visit of the present inspector to the town in which I live, containing complaints, not against the law itself—for I think the people of Ontario, generally, are pretty much satisfied with the law—but against its mode of administration. It would appear the present inspector has had no training for his position, and is not acquainted with the proper mode of doing his work, and is, it seems to me, somewhat indifferent as to whether he does it well or not. I will just read a portion of one of the letters I have received—from one of the largest dealers in the town, a man in the dry goods trade, who has some large scales in his shop, besides weights and measures. He says:

"I have one equal armed balance. He went down stairs and looked at it, tilted it with his finger, and said it was all right. The twelve weights belonging to it were sent over to his room to be tested. They all needed adjusting except one.

"He next passed up to the shop and counted the yard measures on the counter, of which I have nine. He did not test them in any way.

"He made me out my certificate, charging me full tariff rates as under, which I paid, besides an additional sum of \$1.10 to the man who did the adjusting."

Then he gives the amount of fees he paid. Here is a man testing measures and balances by simply tilting them with his finger, or looking at them; yet he makes his full charges for the work whether he does it or not, and, contrary to the law, brings with him, from place to place, a man who is called an adjuster, and makes it appear to the public that this man is, *par excellence*, the person to adjust and set all wrong weights and measures right. He charges certain fees for adjusting, which are, in many cases, higher than the fees for testing; and I have a statement from a gentleman worthy of credence, to the effect that the adjuster in one case collected \$40 for three and a half days' work in adjusting, while the inspector collected about \$100 for his fees. Moreover, the inspector, in cases where he should rebate

Mr. ARKELL.

one-fourth of the fees when he finds the weights and measures correct, makes a full charge. I do not object to this officer so long as he does his work according to law. But I think the President of the Council should see when an officer does not understand his business, that he be informed of its nature, and that no unjust charges be made—that he should distinctly understand he is not to bring round from place to place an adjuster, at liberty to charge extravagant fees for his services. I am willing to suppose that the President of the Council is as anxious as any gentleman can be to see that the department is managed with as little annoyance to himself, and as little damage to the Government as possible. Unless he informs the Minister of Inland Revenue, in regard to the conduct of some of the inspectors of weights and measures, we shall have such a revulsion of feeling against this Act as I fear will necessitate its repeal altogether. I believe that this would be a misfortune, and that we should have an Act of this kind for the adjustment of weights and measures, to protect the public from being defrauded. We should have an Act insuring us a pound when we buy a pound of any commodity. I see no difficulty whatever in securing this result if the department be properly administered with proper officers. By the Department of Inland Revenue Report we see several thousand dollars paid for the travelling expenses and salaries of gentlemen who go up and down, instructing the inspectors of weights and measures in their duties. This amount of money might be saved. When we had inspectors who did understand their duties they were dismissed. Although my sympathies are with the Government in their difficulties, I do not begrudge them a certain amount of annoyance, consequent upon their own acts.

Mr. GIGAULT. There is no uniform law in regard to the measurement of cordwood. When persons ask me what is the proper or requisite measure I cannot answer them. Information has been asked for also, as to the authority which operates, and I think the answer was that the law does not sanction any particular measure for cordwood. The Government should settle that question one way or another, so as to secure uniformity in the measurement of cordwood, which is sometimes measured by French and sometimes by English feet. I think the member for Iberville was perfectly correct in saying that the greatest cause of complaint among merchants was that when weights and measures were verified a second time and found to be correct, the inspector charged full fees as if they had not been correct. There is also a cause of complaint with the farmers, on account of grain traders demanding, in some places, 40 lbs. of oats for a bushel and in others 35 lbs., while I think the number fixed by the Statute is 34 lbs. The same thing is done with regard to barley and other grain. The farmer would like the traders to conform to the Statute, and exact in every case only the number of pounds which are fixed by the Statute.

Mr. MERNER. This law I must say was very unpopular in my county, but I cannot say anything with regard to the working of the new regulations, because the assistant inspector for Waterloo spends his whole time in Hamilton. Judging by the return which has been brought down, the expense attending the administration of the law, especially in the cities, is very high compared with the returns. Here are a few of the figures:

	Expenses.	Revenue.
Montreal.....	\$3,994 25	\$3,349 52
Quebec.....	2,623 98	564 00
St. John.....	1,575 53	578 41
Halifax.....	1,881 68	562 91
Toronto.....	3,859 99	1,853 79
Ottawa.....	2,914 63	2,104 49
Kingston.....	2,576 43	1,341 41
Bellefille.....	2,111 90	1,063 75
Hamilton.....	2,311 50	1,912 12
London.....	1,836 16	578 05
Windsor.....	2,429 78	1,661 23
Sherbrooke.....	2,364 99	171 64

The inspector should be made attend to his duties for the whole year, instead of for three months each year, and he should be paid by percentage instead of by a salary.

Mr. GAULT. The hon. gentleman has been misinformed with regard to the figures for Montreal. The collections there have been \$3,165.60, and the expenses \$3,619.88 leaving a deficiency of only \$454.20. No city in the Dominion can show the same record, and I am happy to say that our collector is doing his duty, and that though at the outset the measure was unpopular, now, with the co-operation of the people, all the difficulties which were encountered at first are being removed.

Mr. BOWELL. I am quite sure the Government can have no objection to this discussion; on the contrary, for it has brought out a number of complaints which, if ascertained to be correct, will impose upon the Government the duty of providing remedies as speedily as possible. I was rather surprised to hear the member for Hamilton (Mr. Robertson) say that in his city the inspector had refused to allow a woman to sell a pailful of berries, unless she sold the pail as well. I interrupted the hon. gentleman at the time, and told him I thought it was impossible, but the hon. gentleman persisted in his statement. I have since made inquiry, and have found that no regulation has been issued by the department which would justify the inspector in doing anything of the kind. In all probability, either the hon. gentleman or the inspector has been confused with regard to a clause in the Weights and Measures Act which provides that a person selling any article contained in an unstamped measure shall not be liable to the penalties of the Act unless the person disposing of the article represents the quantity to be greater than it really is. In other words, if a person came upon the market with a pail of berries and said: "There is a pail of berries, you can have it for so much," there is nothing in the Act which would impose a penalty upon her or compel her to sell the vessel in which the berries were contained. I can only say that if the inspector at Hamilton, or his assistants, have acted as the hon. gentleman (Mr. Robertson) states, they have grossly misunderstood their duty, and have entirely misinterpreted the Act. The member for West Middlesex (Mr. Ross) says that this Act was the creation of the Conservative party in 1873. That is the fact, but the Government of that day never put the Act into force. It remained on the Statute-book until the hon. gentleman's friends came into power, and they issued a proclamation by which its provisions were enforced. Our friends deserve credit for their independence in speaking plainly of the working of the Act; but if, as the hon. member for West Middlesex says, he and his friends knew it was unpopular when they were in power, it is to be regretted that they did not make their complaints with equal candor and plainness.

Mr. ROSS. The Act was better administered then than now.

Mr. BOWELL. I do not propose to discuss the merits of the Act, but speaking from personal knowledge with regard to my own district, I can only say that such is not the fact. The officer who he complains was dismissed, was in the habit of acting in the manner described by the member for Ottawa County (Mr. Wright). He would go into shops in different parts of the county, and if the weights did not suit him—if they were not exactly correct—he would unceremoniously toss them into the lake. Since the law has been administered by the present officer it has become more popular than any law which was ever been attempted to be enforced in that part of the Province. Some of the grain buyers were found to have measures which were properly stamped but had false bottoms in them, by means of which they were able to cheat every farmer who sold to them, out of five cents on every bushel of his wheat. It has been my

experience, and I believe it has been the experience of every other hon. gentleman, if he would only admit it, that to a very large extent it has been these who have been cheating the public by false weights and false measures who are at the bottom of the agitation against the law, and who are constantly spreading the report that it is an unpopular and improper Act. I know that there may be instances—as in the case mentioned by the hon. member for Hamilton—in which the inspectors have misunderstood their duties; but I know this, that so anxious has the department been that these officers should understand their duties, that they sent a man from Ottawa to teach them, not only the law, but the duties they were expected to perform in administering it. And they carried it further—something which the late Government never did, whether they thought of it or not—for they insisted on every inspector and deputy inspector in the Dominion passing an examination and obtaining a certificate of qualification. I do not know how much further the Government could go in order to instruct their officers in the proper performance of their duties. I might state to the hon. member (Mr. Giguault) who raised the question respecting cordwood, that the Weights and Measures Act makes no provision whatever for the measurement of cordwood, but the general law provides for it. Everyone knows of what a cord consists, and if dealers sold short measure the purchaser had the remedy in their own hands.

Mr. GIGAULT. Is it French or English measure?

Mr. BOWELL. I am speaking now of English measure. The Statute declares what a cord is in French measure as well as English measure, and though the Weights and Measures Act does not refer to it, if there be cases in which people are being imposed upon the law would step in and find a remedy. Reference has been made to the general dismissal of inspectors of weights and measures. In the proper sense of the word there were no dismissals.

Mr. ROSS (West Middlesex). Hear, hear.

Mr. BOWELL. The hon. gentleman says "hear, hear." He forgets the action of the Government, of which I think he is an employee, in Ontario in matters of this kind, and which has passed Acts legislating parties out of office, appointing, in most instances, their own friends. If it was found necessary for the proper working of this law that a new measure should be introduced by which all the divisions should be abolished and new ones established, and that all the officers should be relieved of their positions, the act was nothing more than what the hon. gentleman's friends had done; and in making the new appointments the Dominion Government appointed gentlemen fully qualified for the performance of their duty.

Mr. ROSS. That does not alter the fact.

Mr. BOWELL. It alters the fact this far, that what was right in one case cannot be far wrong in the other.

Mr. ROSS. Besides, the hon. gentleman is entirely mistaken as to my relations with the Ontario Government.

Mr. BOWELL. I am very glad to hear it. It is well I have given the hon. gentleman an opportunity to place himself right, so that it may be thoroughly understood what his position towards the Ontario Government is.

Mr. ROSS. I am very sorry the hon. gentleman was wrong in respect to my position.

Mr. ROCHESTER. My information is that an order was issued by the department to their officers that all measures required should be obtained at Hamilton. There was no doubt, an excellent reason for that order, which the House could well judge. The hon. member for Essex (Mr. Paterson) has complained that the Commissioner and Deputy Minister were paid very inadequate salaries. I

hardly think so. The salary is, I think, \$4,000 a year, which is good pay.

Mr. PATTERSON. What I said was that the officers of the three great revenue producing departments of the public service are not paid in proportion to other departments which are more ornamental, and are not producing any revenue.

Mr. BOWELL. I am informed that no such regulation as has been mentioned by the hon. member for Carleton has been issued. It may be presumption on my part, as a layman, to interpret the law, but I certainly cannot place the same interpretation on the clause referred to by the hon. member for Hamilton (Mr. Robertson) as he has placed. It provides this: that if a party sells an article purporting to contain a certain quantity, and it does not contain that quantity, then the party is subject to a penalty; but if he sells an article contained in a vessel, but which does not purport to contain any specified quantity then the Act does not apply. If it is a pail, and it is not represented to contain any particular quantity, then it is not subject to the law. It says:

"Nothing in this Act shall prevent the sale, or subject a person to a penalty under this Act for the sale of an article in any vessel, such vessel being included in the sale, when such vessel is not represented as containing any amount of Dominion measure, nor subject a person to a penalty under this Act for the possession of a vessel, when it is shown that such vessel is not used nor intended to be used as such measure."

To my mind it is clear enough.

Mr. ROBERTSON. The hon. Minister of Customs says that, to his mind, this clause "is clear enough."—to my mind it is "clear enough" too, but not in the sense that the hon. Minister wishes to convey—the meaning is clear, that the penalty is only to be inflicted when the sale of the "articles in any such vessel" is made without selling the vessel also, or go to escape the penalties, the sale of the article contained in the vessel, must include the sale of the vessel also. I think, Sir, my case is made out by the law produced by the hon. Minister, who has produced it, to prove that I am wrong.

Mr. BLAKE. One thing has been made clear during this discussion, and that is that the observation I ventured to make at an early period of this Session is well founded, that we ought to have the Minister of Inland Revenue a member of this House. We could have made his life miserable in this House for the last two or three hours. The hon. President of the Council, who represents him here, only hears his punishment vicariously, but it does not seem to hurt him much. As it is, that is no real and proper sense of parliamentary responsibility on this subject unless we have that Minister here.

Motion agreed to.

#### SALE OF LAND IN THE NORTH-WEST.

Mr. BLAKE, in moving for any Order in Council, correspondence or papers, not already brought down, touching any sale of land in the North-West to any railway company, said: At an early period of the Session I moved for some papers connected with railways to which it was rumored grants or sales of land had been made. Among these was a grant to a railway company with a reference to which it is now asserted that an arrangement has been made by which it shall have a further grant equivalent to the former one. We are all aware that there are several charters before the House for railways in the North-West, and I take it that it would be well for the House to have these papers. I hope they will be speedily brought down, as well as those asked for in a former address, so that we may be able to deal intelligently with the policy to be presented to us.

Mr. ROCHESTER.

#### THE DOMINION CITY POST OFFICE.

Mr. ROYAL moved for copy of all the evidence taken before the Assistant Postmaster of Winnipeg, in the course of the year 1880, with regard to complaints made against the working of the Post Office at Dominion City; also for copy of the report made by that official. He said: Mr. Speaker, my object in making this motion is to find out how far the occult influence of a mere postmaster weighs with the higher authorities towards preventing the residents of a locality from obtaining redress of their just grievances. If country postmasters have the right of forming their own opinions with regard to the policy of the Government of the day, they must, at least, fulfil their duty toward the public. It is principally by the details of departmental administration that a Government is brought in direct and daily contact with the people. It is that army of officials which, at a given time, may become a powerful instrument either to destroy the effect of a law or to render it popular. It is but a few moments ago that enthusiastic praises were awarded to certain officials of a department which numbers many of them. The Post Office Department, Mr. Speaker, can likewise boast of a very large number of officials. These officials are in daily intercourse with the population of the country, and if a Ministry has the means of becoming popular through its administration, it is especially through the legions of officials which it scatters throughout our country districts. Now, in a certain part of my county, there is one who is protected, perhaps not by the Government, but—and I say this, reserving to myself the right of retraction when the documents I have asked for shall have been laid before the House—by certain officials high up in the Department. In 1879 serious complaints were made against this official of Dominion City. This locality is merely a railway station, which, like all small localities in the North-West, takes the name of "City" as soon as there are one or two houses built in it; the place is really a very humble village, possessing a post office kept by an individual who has not always fulfilled his duties towards its residents. This post office is open to all comers; everyone is free to enter at any hour of the day, look at the papers, and take either his own or his neighbors' letters. Complaints were made to the Post Office Department, and the Minister was compelled, much to his dislike, I think, to cause an investigation to be held as to the conduct of that official. A first investigation was held, which must have cost the Government four or five times as much as the salary of that individual; in other words, this postmaster was receiving \$10 per annum, and the investigation into his conduct must have cost the Government four or five times that amount. This first investigation, it would appear, established the truth of the accusations made, but for some reason or the other—and this still remains a mystery to me—this postmaster, who has all-powerful friends in the department which employs him, was retained in his position. Renewed complaints were made as the abuses complained did not cease; I complained myself, in the name of the population of the locality, and a new investigation was ordered to be held. Nevertheless, I regret to have to say, Mr. Speaker, that that gentleman is still postmaster in the important city called Dominion City, and the that same abuses take place every day. I have no particular reason for being soft-hearted towards that individual, whom I do not, moreover, know, but I demand and insist that justice should be done to the residents in that locality. If the charges preferred against him, and which called for two investigations, are untrue, well, then, let it be publicly known, so that those who complain of his conduct be taught that they have preferred groundless accusations. On the other hand, if the charges are true, I would like to know through what mysterious influence an individual like that should be retained at his post in spite of his mal-administration, and in spite of the just protests of residents in the

locality. I do not wish to hold the Postmaster-General responsible for all the acts of mal-administration of his officials; but I say that in this case, as in many others, there exist two kinds of government; there is the responsible government of which we are a part; and, outside of that, there is an irresponsible government composed of certain Deputy Ministers, whose arrogance, prejudices and narrow-mindedness are known to everyone. Now, we are directly responsible to the people for this irresponsible government. Nevertheless, Mr. Speaker, I do not wish to bring these Deputy Ministers to trial; it was done, but a moment ago, far more eloquently than I could do it, but I pretend that in the present case, you may have every reason for considering yourself in the right, but if the department says you are not, you will never get justice, even were the whole Government to support you. It is far easier to overthrow a Government than to overthrow the head of a department or a Deputy Minister, when supported by his employees. No doubt, it is not fair to expect Ministers to exercise a greater control than they are able to; but I think that they should descend somewhat from the higher regions, where they govern the affairs of the country, so as to give more attention to the details of their respective departments. I cannot repeat it too often, if the officials do not wish that a law should be popular, there is not a Ministry in the world able to maintain itself in power; whilst, on the contrary, if a Ministry exercises its influence on its subordinates with due impartiality, so as to cause laws to be respected, there is no doubt that these laws become agreeable, instead of being a burden. Mr. Speaker, my object in making this motion is to have copies of all documents relating to this Dominion City post office business, and to find out whether really this postmaster is guilty of all the infamous charges laid at his door, and if so, to learn why a man who earns \$10 a year is practically protected by the Government in spite of the just complaints of a whole population.

Motion agreed to.

#### POINT PELEE SQUATTERS.

Mr. PATTERSON (Essex), in moving for copies of all correspondence respecting the rights of squatters on the naval reserve on Point Pelee Reef, in the County of Essex, said this naval reserve formerly belonged to the Imperial Government, and when it was ceded to the Dominion Government, it was understood that the rights of squatters who had been there for sixty or seventy years should be respected, and that they should be secured in their property. They have made several attempts to have their lots laid out and their patents granted to them, but hitherto unsuccessfully, and they are alarmed now because they are informed that the Government are about to grant a license to a company to shoot over that portion of land. On their behalf I must protest against any such action. Not only are there a number of French squatters there, but also a number of Indians, who are drawing nothing from the Indian fund. I do not know what band they belong to, but they themselves claim to be the descendants of Chief Caldwell, who fought on behalf of the British Government in 1812. I hope the Minister of the Interior will give instructions to some surveyor to lay out that land, and ascertain the quantity belonging to each squatter, and that no company will be licensed to shoot over these grounds.

Motion agreed to.

#### ANDERDON INDIAN RESERVE.

Mr. PATTERSON (Essex), in moving for copies of all correspondence respecting the abatement of interest made to the purchasers of lands on the Indian Reserve, in the township of Anderdon, in the County of Essex, said: These lands were sold at a public sale in 1873, and owing to the sale having been conducted in such a manner as would have vitiated it, had it been a sale by a private individual of his

own property, people were induced to pay exceptionally high prices. I have urged this matter on the attention of the department for about two years and thought I had succeeded in obtaining an abatement of interest, and now I find that parties who have borrowed money on their land at a high rate of interest, in order to obtain their patents, have not been treated on as favorable terms as parties who paid neither principal nor interest. Representations have been made to me by persons who have purchased lands and who think that so unfavorable a distinction should not be drawn between themselves and those who are defaulters.

Motion agreed to.

#### CANADIAN GROWN TOBACCO.

Mr. PATTERSON (Essex), in moving for a return showing the amount of inland revenue collected for Canadian grown tobacco, for the year ending 31st December, 1880, said: Perhaps the members of this House may not be aware that the county I represent, owing to its being almost surrounded by water, and being one of the most southern points in the Dominion, in former years produced a tobacco which commanded a very high price in Montreal. But, owing to the amended Act at present, no sale can be obtained for it. Perhaps I can best explain myself by reading from some communications I have received from gentlemen interested in the trade in Canadian tobacco. A gentleman, who is the only person licensed to have a tobacco warehouse in the county, writes:

"Enclosed you will find two letters, one from A. D. Porcheron Esq., Manufacturer of Tobacco, Montreal, the other from Messrs. Kirkpatrick & Cookson, Corn Merchants, who have sold nearly all of our leaf tobacco for the last seventeen years. During this time a number of changes in the law have been made, but never before has the law been so that it is impossible to sell Essex leaf tobacco. I have one hundred thousand pounds (100 hhds) on hand which I have held for the last five or six years, with the hope that I might get my money out of it, but have never had an offer for it that would pay for the labor of growing it. The Government will see by looking over the returns which we are required to make every three months, that tobacco growing is completely killed. I sent sixty hogsheads to Messrs. K. & C. last year, they sold five hogsheads, but wrote a few days ago that the person who purchased it, is selling it for one cent per pound less than he paid for it. I have (as I said before) 100,000 lbs. paying storage, insurance, interest &c., on it and likely be compelled to allow it to waste away unless some change is made in the law. I would not pay two cents per pound for it now, when it actually costs five cents per pound to grow it, as none is being grown for sale in this Province. I think the Government ought to devise some means by which I can sell what I have on hand. I am satisfied that the Government would not intentionally pass an Act to embarrass a licensed buyer."

This gentleman encloses to me the following letter from Mr. Porcheron, of the Canadian Tobacco Works, Montreal:

"MONTREAL, January 14th, 1881.

"Messrs. Kirkpatrick & Cookson,

"DEAR SIR,—In answer to your inquiry as to my views, as a manufacturer, on the effect of the new law concerning home grown tobacco, I beg to state that I have manufactured thousands of pounds of Canadian tobacco, principally from Essex County, but have been compelled to discontinue owing to the new law which compels manufacturers of foreign tobacco to pay twenty cents duty while the growers only pay four cents and sell their tobacco in rolls and twists to customers, at from twelve to fifteen cents per pound. If the Government wishes to create a new industry why not leave the manufacturing part to experienced manufacturers, and then we could get up an article which could be introduced through the whole Dominion. As it is, no one outside the Province of Quebec would think of buying Canadian tobacco at any price.

"For your own information I may as well tell you that the moment Western tobacco is shipped for the Province Quebec 'the only market for Ontario,' that it is subjected to a duty of fourteen cents, if manufactured by a specially licensed manufacturer for home grown tobacco; but as there is but one of them in Montreal, who has been compelled to shut up, Ontario tobacco can only be warehoused and to remain so until rotten.

"The new law is positively a mistake, it may suit the Quebec growers very well as they only pay duty on less than one half of their crop, but I do not think it fair to manufacturers. As one of them, I think we should be allowed the same privilege as the grower, then Ontario would be on equal footing with this Province."

The following is a letter from the Montreal agents of the licensed bonded warehouse in Essex:

"Referring now to your favor of 5th instant, we regret equally with yourselves that we can make no progress in selling your tobacco. As the law works at present, Ontario leaf tobacco is altogether excluded from being manufactured in this market; and although many are anxious to work on it as formerly, they are practically prohibited. Growers are allowed to manufacture into twist or rolls on payment of four cents per pound duty; but the manufacturers must pay fourteen cents (14) per pound for the same privilege. This is practically a protection for the Quebec farmer of ten (10) cents per pound against the Ontario farmer, as the Ontario farmer has to seek a market for his surplus in this Province, where alone it is wanted. The Quebec farmer can afford to sell for actually less than the duty the manufacturers must pay on yours. The law not only works an injustice against your growers but, we believe, the Quebec farmers are also becoming dissatisfied with the working of the law, as it prevents their selling the raw leaf to manufacturers, who would buy larger quantities than they can otherwise dispose of. We feel assured that a reduction of the duty to four cents per pound on all Canadian-grown tobacco, manufactured either into twist, roll or cut, would cause a revival of the trade and protect the home grower against American-grown tobaccos, and open this, the best market in the Dominion for Canada leaf, again to your growers. At the present the Quebec farmers have the monopoly."

Now when this amended law was introduced, I asked the late Minister of Inland Revenue for explanations on the subject. He may have misunderstood my question, but I certainly did not misunderstand his answer. My question was: would the manufacturer of American tobacco be allowed to attach to his factory in Ontario a bonded warehouse for the purpose of storing Canadian grown tobacco upon which he would only be required to pay the 14 cents per pound inland revenue duty. At present as the law stands, if a farmer in Essex goes to sell tobacco to a manufacturer in Windsor or in Ontario, that manufacturer has to pay the same duty as he would upon American imported tobacco, 20 cents per pound. If a bonded warehouse were allowed to be attached to the manufactory, as I understood would be the case, the difficulty would be got over, and it would be a very easy matter for the officers of the Inland Revenue to calculate the duty on the Canadian and American tobacco respectively, if they were kept in different warehouses. At present, the farmers of Quebec who bring their tobacco to market, can afford to sell their twist, known as "tabac blanc en torquette," for a lower price than the duty imposed upon Essex grown tobacco. There is an injustice in this. I am sorry that the hon. Minister of Inland Revenue is not here, but I trust that the acting Minister will feel the importance of this question. It is a matter of very great importance, especially to the farmers in the Lake Erie townships of Essex. I do not think it is fair they should be compelled to sell their tobacco at a sacrifice. The same laws should be obtained for the Ontario farmers as are obtained for the Quebec farmers. If the duty were reduced to four cents, the increased production would make up for the decreased revenue. Increased production would increase the revenue and keep down prices. I would urge upon the hon. President of the Council to give the matter his consideration.

Sir LEONARD TILLEY. I have listened with a good deal of attention to the hon. member. I fail to ascertain that there is any provision in this Act that affects one Province more favorably than another. Its provisions are universal as far as the Dominion is concerned. The hon. gentleman refers to me in the matter as one who has had something to do with the National Policy. All I can say is that I have found the people of Ontario as ready, if not more ready, to take hold of the various manufacturing enterprises as the people of any part of the Dominion. I do not see, therefore, why Quebec here can have any advantage that is not enjoyed by Ontario. With reference to the proposal to allow home grown tobacco to be used in manufactures where they import foreign tobacco, the difficulty is, the very moment we allow home grown tobacco to enter their manufactures, we lose all control

Mr. PATTERSON (Essex).

against smuggling or other illegal proceedings. I know of no provision in the Bill that does not affect one Province as it does another. Of course, if the manufacturers in Ontario do not think proper, in the form that is required, to give them the benefit of the low rate of duty, that is their fault. We cannot legislate on the subject for the inhabitants of a portion of the Dominion who do not think proper to take advantage of a reasonable law.

Motion agreed to.

#### DIFFERENCES BETWEEN H. McMICKEN AND T. J. LYNKEY, C. P. R.

Mr. ROYAL, in moving for copies of all letters, telegrams, instructions, accounts for law expenses and other documents in relation to the difficulties which occurred last summer (1880), between one Ham McMicken, a carter in the service of the Pacific Railway, at Winnipeg, or T. J. Lynskey, Superintendent, or both of them, and Robert Tait, Esquire, a ferry-man licensed by the Local Government, with reference to the ferry between St. Boniface and Winnipeg, said: One of the great results that may be anticipated from the happy solution of the construction of the Canadian Pacific Railway will be that private individuals will be enabled to seek reparation before courts of justice, and will no longer have to go to the Supreme Court to seek remedy for the injustice done to them by officials. This is one instance: at the time Manitoba was struggling for existence, and fighting bad roads, a high tariff of transport, bad immigration regulations, and the grasshoppers, the Local Government which had only a small pittance of a subsidy, passed a law to license ferries on the various rivers of the Province. Tenders were asked, and amongst others a steam ferry was established between Winnipeg and St. Boniface. It was then thought such a ferry would not be a very profitable enterprise, and rather great advantages were offered to tenderers. The present ferryman, Mr. Robert Tait, got his license for ten years, and put on the river a first-class steam ferry boat. The law gave him exclusive privileges for one or two miles above and below the point of crossing. Last year, however, the Superintendent of the Pembina section of the Canadian Pacific Railway took upon himself, when he saw he could not get Mr. Tait to reduce his rates to his own figures, or those of his own contract, to induce a certain H. McMicken to establish a ferry within twenty feet of the route of the licensed ferryman, stating he was authorized to do so by the authorities in Ottawa. It put at defiance the law enacted by the Provincial Legislature, and was equivalent to setting at naught the contract entered into by the Minister of Public Works of the Province. However, McMicken or Lynskey proceeded with his ferry, and commenced to carry across the river all the freight transported thither by the Emerson Branch Railroad. The other ferryman took out an injunction to prevent Lynskey's interfering with his rights. The fight then went on in the Courts, and it was only after two months that Lynskey was peremptorily ordered to cease ferrying; but then, Tait's losses amounted well nigh to fifteen hundred dollars besides the law costs. How is Tait to get indemnified? When I state these facts it will be seen that, as I have said, one of the good results that will accrue from the construction and ownership of the Canadian Pacific Railway by a Company, will be, that instead of private individuals seeking, in vain, for redress from the Government, having to fight officials to get justice, they will but have to fight a company upon whose officers writs can be served. We have tried to get to the bottom of Lynskey's transaction; but now that the transfer of the Canadian Pacific Railway is about to be made to a company, I believe my motion would be fruitless. However, it has enabled me to show that in this instance private rights were set at defiance by a Federal officer pretending to act under instructions from his own Govern-

ment. I will make this motion so as to enlighten other parties in similar circumstances.

Motion agreed to.

#### DISTRICT INSPECTORS OF WEIGHTS AND MEASURES.

Mr. COCKBURN, in the absence of Mr. WHEELER, moved for copies of instructions issued by the department to district inspectors of weights and measures, defining their duties for adjusting beams, scales, weights and measures, in their several districts, and regulating the charges therefor, under the authority of the Act regulating the inspection of weights and measures.

Mr. BAIN. I understand that the member for North Ontario (Mr. Wheeler) desires to make a statement upon his motion, and I therefore move the adjournment of the debate.

Motion agreed to, and debate adjourned.

#### UNIFORM CURRENCY FOR THE DOMINION.

Sir LEONARD TILLEY moved the House into Committee of the Whole to consider the following Resolution:

"That it is expedient to extend the Act 34 Victoria, chapter 4, establishing one uniform currency for the Dominion of Canada to the Provinces of British Columbia and Prince Edward Island."

Mr. ANGLIN. Will the hon. Minister explain the purport of the Bill? I thought Prince Edward Island was within the purview of the old Currency Acts, and that a Prince Edward Island dollar was a Dominion dollar.

Sir LEONARD TILLEY. No; the matter has been overlooked. The Act establishing the currency was passed previous to the admission of Prince Edward Island, and it has not been extended either to the Island or British Columbia; and as we are now sending a considerable amount of silver to British Columbia, owing to the difficulty that has existed there with respect to their currency, we thought it desirable for that and other reasons that those portions of the Dominion should be excluded. The Government will probably send in a month or two \$100,000 worth of silver to British Columbia, and there is no provision by which it will become a legal tender.

Mr. BLAKE. There is not any provision for increasing the currency over there.

Sir LEONARD TILLEY. Not at all. There has been difficulty about the currency in British Columbia, and American silver has been imported. A quantity of Canadian silver has been ordered there. At the present time a sovereign is a legal tender there at \$4.85. Everywhere in the Dominion it is a legal tender at \$4.86 $\frac{2}{3}$ . The changes which will be effected by the Act are that Canadian silver will be made a legal tender at certain rates, and it will establish the value of the sovereign at \$4.86 $\frac{2}{3}$ . The Bill to be introduced on this resolution will go into operation on the 1st of July next. Every engagement and contract entered into, as far as the value of the sovereign is concerned, will be paid under the conditions and legal obligations with which they were made.

Mr. DECOSMOS. The extension of the Statute will by no means raise the value of the sovereign beyond \$4.75, nor increase the value of Canadian silver. Our business connection with the neighboring Republic is so close that we have to adopt the American value. I do not believe that the popular use of money will be increased one cent in value.

Sir LEONARD TILLEY. We do not desire to increase it, but it will have that effect as far as the sovereign is concerned.

Resolution considered in Committee, read a second time and reported.

Sir LEONARD TILLEY then introduced a Bill (No. 66) to extend the Act establishing one uniform currency for the Dominion of Canada, to the Provinces of British Columbia and Prince Edward Island.

Bill read the first time.

#### MOTIONS FOR RETURNS.

The following motions for Returns were severally agreed to:—

Correspondence between the British Government and the Government of Canada with reference to the United States cattle passing through Canada, in transit from one United States port to another United States port; also statement of number of cattle so passing through Canada; also, copies of all arrangements between the railways carrying such cattle and the Canadian Government, and all Orders issued by the Government to such railway managers.—(Mr. Wiser.)

Copy of the contract entered into by the Government in 1880, with J. G. Baker & Co., of Fort Benton, for furnishing supplies for the North-West Mounted Police.—(Mr. Tassé.)

Copy of charges made against Horatio Nelson Tabb, formerly deputy inspector of weights and measures, of the evidence taken on the enquiry into such charges, and of the finding of the officer who made such enquiry, together with any correspondence in relation to such charges, and to the decision of the Department of Inland Revenue upon them.—(Mr. White, Cardwell.)

Copies of all documents relating to improvements to be made on the shoals of the St. Lawrence, off Point St. Pierreles Becquets, and of the reports and plans of the Government Engineers in relation to the said works.—(Mr. Méthot.)

Copies of any contract or agreement between one Ham McMicken, acting for himself or in the name of a pretended company or as an agent, and T. J. Lynskey, Superintendent of the line of the Canadian Pacific Railway from Emerson to St. Boniface, in relation to the carrying and delivery in Winnipeg of freight carried by the railway; also, copies of any tariff adopted by the two parties, and of the surety bonds which must have been required by the said T. J. Lynskey, from the said H. McMicken.—(Mr. Scott.)

Statement shewing the number of licenses called warehouse licenses, for leaf tobacco cultivated in Canada, granted since the 1st May, 1880, and at what price such licenses were granted.—(Mr. Bourbeau.)

Statement of all legal fees paid by the Department of Justice, from June 30th, 1879, to June 30th, 1880, to whom paid, and for what services.—(Mr. Macmillan.)

Copies of all leases granted by the Government to any persons or company, for the use of water-powers and for certain privileges in relation to the construction of wharves or warehouses on the Beauharnois Canal.—(Mr. Bergeron.)

#### GOVERNMENT BUSINESS.

Sir LEONARD TILLEY moved that Government business shall have precedence on Thursdays, during the remainder of the Session.

Motion agreed to.

#### BUSINESS OF THE SESSION.

Mr. BLAKE. Perhaps the hon. gentleman will inform us whether it is intended to proceed this Session with the Act to extend the boundaries of Manitoba. I will also mention that it would be well to put before the House, as soon as possible, the Act which stands in the name of the Minister of Railways, as to have been introduced on the 28th of January, in order that the House may become acquainted with its provisions. It is a very important measure, and we ought to have it before us as soon as possible.

Sir LEONARD TILLEY. Owing to the illness of the Minister of Railways, and to the fact that we have the Tariff and the Estimates before us, the two Bills to which the hon. gentleman refers will be introduced in the Senate and discussed there.

Mr. BLAKE. As to one of these Bills I say nothing, but as to that Bill upon the promise of which we passed the Pacific contract and which was promised to us here, I think we ought to have it here and have an opportunity of discussing it before the Session is over.

Sir LEONARD TILLEY. We introduce it into the Senate in order that we may get it as soon as we get through the Tariff debate, which may last three or four days.

House adjourned at 10:10 o'clock, p.m.

## HOUSE OF COMMONS.

TUESDAY, 22nd February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### ELECTION CASES.

Mr. SPEAKER informed the House that he had received from the Registrar of the Supreme Court of Canada, a certified copy of the judgment and decision of the said Court, in the election appeal relating to the Electoral District of Charlevoix, "Simon Xavier Cimon vs. Joseph Stanislas Perrault," together with a copy of the evidence brought before that Court.

And also, a certified copy of the judgment and decision of the Supreme Court of Canada, in the election appeal to the Electoral District of Bellechasse "Achille Larue vs. Alexis Destaurier," together with a copy of the evidence brought before that Court.

Mr. SPEAKER also informed the House that, in conformity with the Act 37 Victoria, Chapter 10, Section 36, he had issued his warrants to the Clerk of the Crown in Chancery to make out new writs of election for the said two Electoral Districts.

### PERSONAL EXPLANATION.

Mr. McCUAIG. Before the Orders of the Day are called, I beg to call the attention of the House to a statement made in the Ottawa Citizen this morning. It reads as follows:—

"In the course of his remarks, Mr. McCuaig fell into the error of saying that whereas under the late arrangement, five inspectors in his district received \$2,500 (\$500 each). Three under the present system received \$2,400—one officer \$1,200 and two \$600. The salary paid to the inspectors is \$1,000, and the assistants \$500 each."

That statement is in regard to the Weights and Measures Act. The correspondent of the paper is quite correct, but I omitted, or he omitted, to state that last year \$8,000 were appropriated for the inspection of gas, and out of that sum the inspector at Belleville received \$150, making his salary \$1,150; one of the deputy inspectors received \$250, making his salary equal to \$750; and another deputy inspector \$150, bringing his salary to \$650; all these sums being taken from the gas appropriation. So, in point of fact, I understated what they received from those sources. I make this explanation as I do not wish a wrong impression to go abroad. I am still of the same opinion, that the old system had its advantages, over the present one, because we had a resident inspector of weights and measures in every one of the five districts, at about the same cost for salaries.

Mr. BLAKE.

### WAYS AND MEANS.—THE BUDGET.

House resumed adjourned debate on the proposed motion of Sir Leonard Tilley, "That Mr. Speaker do now leave the Chair for the House to go into Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty."

Mr. PLUMB. Mr. Speaker, I regret that the duty of addressing the House at this stage of the debate has not fallen into abler hands. I think the whole House, without exception, will lament with me the reasons why that duty has devolved upon me to-day. The illness of the hon. the Minister of Railways cannot but be regretted deeply by hon. members, and every one throughout the country will join with me in the hope that he may at no distant day be restored to health and be able to take that part in the business of the country which he has taken so well and so acceptably for so many years. Apart from this, the duty which I have undertaken is an agreeable, as well as an easy one. I rise for the purpose of speaking upon a subject in which the whole country feels the deepest interest—that of the development of the policy which has been inaugurated by this Government, and especially by my hon. friend, the Minister of Finance—and for the purpose of contrasting the success and the consequences of that policy with that which preceded the accession of the present Government. Sir, I listened with the greatest possible interest to the statement made by the hon. Finance Minister on Friday last. We were all prepared to hear that he had met with a moderate degree of success; we were all prepared for a statement which should be acceptable to the country, but I fancy that even the most sanguine among us was scarcely prepared for the results which were presented in the figures brought before the House by that hon. gentleman. It will be remembered that even the late Finance Minister, in a speech in this House, said it was unreasonable to expect that a policy like that of my hon. friend could develop itself in one or two years. He did not join in the cry of those who said that because the elections of 1878 had gone overwhelmingly in favor of the Conservative party, therefore the whole country, to fulfil our promises, must blossom like the rose immediately. He did not join in the cry of those who echoed that of the *Globe*, who said that there was no trouble at all in at once inaugurating a great change in the fiscal policy of the country, that there was no trouble in altering the Tariff, that any expert in the Service could frame our proposed tariff in all its difficult details in a day, and that it ought to show its results the next morning. But that hon. gentleman, having been face to face with the difficulties which beset my hon. friend, was candid enough—he is not often candid enough to acknowledge such things—to say that the country would have to wait before the fruits of the policy of my hon. friend would appear. What does my hon. friend the Finance Minister tell us? He tells us that in the space of two years he has converted deficits into surpluses; he tells us that for two years he has legitimately stimulated the industries of the country to such a favorable extent that now, at least 14,000 people are employed in new manufactures, and the employment of these 14,000 people involve, not only the sustenance of 40,000 or 50,000 more, but involve largely the consumption of the products of the country, and also indirectly affect its entire business condition.

Some hon. MEMBERS. Hear, hear.

Mr. PLUMB. Hon. gentlemen opposite may say "hear, hear," with a smile; but they will find that the effect of this stimulus on the industries of the country cannot be reckoned by a mathematical calculation, nor can we reduce to an axiom its effect to encourage the people and remove their feeling of depression—its effect to show the country

that there is a disposition to embark in new enterprises, and its effect to restore confidence to those already in business. He tells us that by certain legislation on this side of the House, a great stimulus has been given to manufactures, that the shipping industry has been benefited, that those cities which depend largely upon the ocean trade for their prosperity—Montreal, Halifax, St. John, and Quebec—have all felt the beneficial effect of the policy which has been adopted by the gentlemen on this side of the House—and adopted against the most persistent and the most unfair tactics of those who have opposed this policy by a system of obstruction from beginning to end. This policy has been fought tooth and nail by the gentlemen on the opposite side, and I venture to say that in the course of this discussion we shall have the same old story over and over again, which has been repeated in this House and upon every platform in the country since we nailed our flag to the mast, and made "Canada for the Canadians" our war cry in the campaign of 1878. It is very well for hon. gentlemen to have political beliefs and adhere to them, and it is better for us that the hon. gentlemen on the opposite side should have their beliefs and should adhere to them with a blind bigotry. But I may here quote an author whom the late Finance Minister is very much in the habit of quoting:

"A genuine statesman must be on his guard,  
If he must have beliefs, not believe them too hard."

My hon. friends on the opposite side have their beliefs, and they have believed them a little too hard for their own comfort, for the good of their own party, and for their own prospects of success for some time to come. My hon. friend tells us that he will have, next year, as the result of the revenue-producing power of his Tariff, a surplus of over \$2,100,000. That must be gratifying to everyone who had watched for three or four years the gradually increasing deficits of the hon. gentlemen opposite, those deficits for which no provision was made, and which amounted in the aggregate to the enormous sum of nearly \$6,000,000. As they appear in the Public Accounts they amount to \$5,826,073, and they would have been much larger but for the ingenious devices resorted to for the purpose of keeping them down. Why, Sir, in one year the Militia Estimates were cut down to \$450,000. At the same time the expenditure on public works chargeable to income was cut down about \$550,000, I believe for no other reason in the world except to prevent the estimated expenditure, amounting to \$24,000,000 or \$25,000,000, from swelling up to \$26,000,000. There was at that time no excuse for so rapid an increase in the interest on the public debt, and for other charges which necessarily grow with the increased prosperity of the country. But these devices were resorted to in order to prevent the increase of those deficits which were alarming the country and seriously threatening the public credit. The hon. the Finance Minister also tells us that he has been able, through his negotiations, largely to reduce the rate of interest on the public debt. The reductions which he has made in that regard within the last two or three years amount to a sum equal to the interest upon over \$28,000,000, as large a sum as it is anticipated will be given as a subsidy for the construction of the Pacific Railway. The hon. gentleman also tells us that while large manufactures have been established throughout the country, there has been practically no increase in the prices of those commodities manufactured here, as compared with the imported goods of the same character and quality. That contention was disputed by the hon. member for Centre Huron, (Sir Richard Cartwright). It is, however, easily susceptible of proof. The House and the country will be willing to accept the assertions of the hon. Finance Minister—assertions that are always given with calmness, in the judicial spirit in

which a Finance Minister ought to deal with economic questions, and not with the shriek of a partizan and the blindness of party fury. The country will, I say, accept the statements of the hon. Finance Minister before it will those of an unscrupulous opponent who is endeavoring to make the worse appear the better reason. The hon. Finance Minister tells us also that the effect of the Tariff has not been to impose a burdensome tax on the public, as has been stated by Opposition authority—though by authority which has not been endorsed, even by the late Finance Minister. It was asserted in the Tariff debate here, and the hon. leader of the Opposition repeated the statement upon the hustings in West Toronto that for the sake of getting \$2,000,000 increased revenue, \$7,000,000 were added to the burdens of the people. I had occasion to look up the speech of the hon. gentleman from which that statement was taken and upon whose authority it was given to the country. That hon. gentleman may be a financial authority, and he has ever been so considered, although he was quoted by the hon. leader of the Opposition, and I notice that the hon. the ex-Finance Minister is by no means sure that he can endorse that statement. That hon. gentleman says that it would be very hard to arrive at any definite conclusion upon a subject which it was so difficult to reduce to mathematical demonstration; he could not stake his reputation on such a vague and incomplete statement. The hon. gentleman who made the statement has only given figures in detail amounting to something like \$3,000,000 or \$4,000,000, and put the rest on the very convenient form of an "etc." If the statement rests on no better authority than that, we can agree with my hon. friend that it is another fallacious statement. There is no proof to be found of it anywhere. The very figures given in its support are fallacious. The hon. gentleman does not even attempt to give a basis for the whole of his calculation, but says there are certain other items that will swell the amount up to \$7,000,000. That cannot be possible, unless the operation of the Tariff has the effect of greatly raising the prices of the home manufactured articles; and if, as has been shown, cottons, woollens, agricultural implements, tools, such as are made by my hon. friend for Gananoque, (Mr. Jones,) boots and shoes, and even sugars have not been affected by the Tariff to any such extent as the hon. gentleman claims, there is no foundation, whatever, for his contention. Even under the best aspect, supposing his contention to be correct, he has overstated the amount by more than double. I would not have referred to this, had it not been made the staple of arguments against the present policy of the Government, by the hon. member for West Durham, during the summer of 1880, in the special election in West Toronto, where the whole question was fought out and where the hon. gentleman suffered a signal defeat. The hon. the Finance Minister has shown that one of the effects of the Tariff has been largely to increase the inter-provincial trade between the eastern part of the Dominion and the great west, to increase it so largely as to more than quadruple it. That statement ought to be received with the greatest satisfaction by all those who do not think it is in the interest of the country to deal with foreigners rather than with our own people. If it can be shown, as it can be shown, that the large trade in agricultural implements carried on between the Provinces of Ontario and Manitoba, is one which has not in the slightest degree increased the burdens of those who have made their purchases from Ontario, then, in that respect alone, we ought to congratulate our Finance Minister upon the success he has achieved. I understand that all the manufacturers of agricultural implements throughout the country assert that they are not getting any better prices than they got before the Tariff, but are increasing their profits by making larger sales. When hon. gentleman argue against the Tariff, they forget that one of

its chief effects is to increase business by giving the manufacturers a larger trade. The reason why we were made a slaughter market for the United States was that the manufacturers there wished to keep every man employed, and would sell to us at less than home prices, rather than allow their fires to go down and their people to be idle. And hon. gentlemen may apply precisely the same argument to the manufacturers in Canada, for it is precisely the same argument. But there is another feature of the returns which has application to the present case. I find that New Brunswick in 1876, paid to the revenue \$7.76 per head, including all taxes; and it was said when this Tariff was under discussion, that it would increase her burdens at least \$2.50 per head. Now I find from the return of the Customs duties that the contribution of New Brunswick, per head in 1875, was \$4.79; and in 1878 before this Tariff was passed, it was \$5.07, and last year it was but \$3.05. Does that look like increasing the burdens of poor, neglected New Brunswick? Well, Sir, the percentage of duties on the total imports of goods entered for consumption in 1877 was \$28.74, and in 1880, \$21.83. In 1875 the return of Customs duties for the Dominion was \$4.19 per head, and in 1880, \$3.83. Yet we had in the last year a Tariff, according to hon. gentlemen opposite, that was certainly to increase the cost of many articles 60 to 70 per cent., and to tax the people \$7,000,000. It has done no such thing in either case. The total percentage of duty from the whole of the goods entered for consumption has increased from \$14.03 to \$19.70; but on the total imports, only from \$13.74 to \$16.04. Well, in 1879 I remember the hon. member for South Brant (Mr. Paterson) made a point which was cheered to the echo by hon. gentlemen on the Opposition benches, in respect to the value of bank stocks which, according to his statement, had declined since the election of 1878, notwithstanding that it was falsely asserted that my hon. friend, the leader of the Government, who, I am most happy to see, is in his place to-day, had stated that immediate prosperity would follow the elections, if they resulted in favor of the Conservative party. The hon. Minister of Finance has now produced a statement showing that the aggregate increase in values upon the stocks quoted on the Stock Exchange in Canada, amounted to an enormous sum. That statement has been questioned on the other side of the House by the hon. Finance Minister, who said: "We do not know anything about the increase in the value of stocks, but we want to know whether the Banks have increased their dividends?" I can tell him that, after a period of depression like that through which we have been passing, no bank well managed would suddenly increase its dividend; but the measure of the public confidence in those stocks is, how much the people will pay for them—what percentage they will bear in the market? As the hon. member for South Brant desired to make a point against our policy out of the prices of those stocks in 1879, I will give the quotations on the day of the election. They did fall subsequently; but I will compare them on the day of the elections with their quoted prices to-day, making use of the *Montreal Gazette*, of last night, and of the *Mail*, in order to give the hon. gentleman an idea of the increase in the value of those securities, and to see whether his argument is worth anything in regard to the results following the success of the Conservative party on 16th September, 1878. The stock of the Bank of Montreal then sold at 171, it sells now at 182; increase, \$1,320,000. The Bank of Toronto at that date, 16th September, 1878, sold at 138, now 147; increase, \$180,000. Bank of Ontario, 83; now 97; increase, \$420,000. Merchants Bank, 94; now 118; increase, \$1,438,000. Bank of Commerce, 113; now 138; increase, \$1,500,000. Dominion Bank, 117; now 150; increase, \$330,000. Bank of Hamilton, 99; now 120; increase, \$210,000. Standard, 80; now 105; increase, \$125,000. Federal Bank, 104½; now 138; increase, \$340,000. Imperial

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Bank, 104; now 118; increase, \$140,000. Molson's, 93; now 108; increase, \$300,000. I cannot find the prices of the stock of the Quebec Bank, but I am quite certain that they will be found to have advanced in the average ratio. In the case of the Canada Permanent Building Society, of which my hon. friend opposite, the leader of the Opposition, will probably have some cognizance, I can congratulate him on the fact that its stock sold at 181 in September, 1878, and that it sells now at 203, and upon its aggregate capital there is an increase in value of \$440,000. The Freehold sold at 150; it now sells at 157; increase, \$12,000. The Western Canadian Loan and Savings Stock was at 150 then; now it is worth 165; increase, \$150,000. The Union, 139; now 149; increase, \$50,000. Building and Loan, 119; now 120; increase, \$7,500. Imperial, 113; now 119; increase, \$36,000. Farmer's, 114½; now 128; increase, \$63,000. London and Canadian, 144; now 152; increase, \$320,000. Huron and Erie, 137½; now 153; increase, \$150,000. As to the Dominion Savings Institution, I suppose there has been an increase of capital, for I cannot conceive any other reason why it shows a decline of 6 per cent., or a loss of \$60,000. The Ontario Savings Society is probably in a similar position, having declined 11 or 12 per cent., or suffered a falling off of \$96,000. I wished, however, to give the whole statement, and must include them. The Hamilton Provident has increased from 114 to 115, or \$110,000. The National Investment, from 103 to 108, or \$70,000. The British American Insurance Company, from 112 to 153. The Western Insurance Company from 153 to 213. The Confederate Life from 126 to 203; and the Canada Life from 193 to 316. The total increase for the banks and savings and investment companies quoted amounts to \$7,791,500. When my hon. friend from South Brant made his computation, he neglected to tell the House that he produced it after the severest shock ever given to bank stocks and investments had been suffered by the failure of the Bank of Glasgow and the West of England Bank. That hon. gentleman probably did not know that the shareholders of these banks had been so mulcted by the losses which these institutions sustained that a perfect panic was created in Bank stocks—a panic which extended to this country—a panic which was taken advantage of by those who make it their business to trade in the misfortunes of joint stock companies—to an extent never before known in this country; and the great fall of stocks had nothing whatever to do with the coming in of the party who are now in power. The hon. gentleman either did know the facts or he did not, and I do not wish to give him credit for his ignorance at the expense of his candor. There have been evidences throughout the country of returning confidence. That evidence is patent to everyone who walks through the streets of any of our cities. Anyone who looks at the returns of trade, or knows anything about the movements of business, or watches the course of the bankruptcies in the country, cannot fail to see that there has been a return of prosperity. Hon. gentlemen opposite may argue as they like; they may say it is due to this cause or to that, but the fact must be accepted that the croakers on the opposite side have at last had their mouths shut, and we shall hear very little more about the great depression which used to elicit cheers from these hon. gentlemen when it was referred to in the strongest terms at their command, during the last two years. The course of business in the country has been prosperous; the manufacturing and other interests have revived notwithstanding the constant threats of hon. gentlemen upon the other side, that they intended, if they came back to power, to reverse the trade policy of the country. The people knew perfectly well that they would be entirely safe in making any investments they chose, for despite the threats of what would happen to them by the coming in of the hon. gentlemen opposite, to reverse the policy of the present Government. They knew quite well that, so far as

they were concerned, it was an empty threat, and they have shown exactly how they regard the possibility of this country being subjected to what it was compelled to undergo during the five years of misrule between 1873 and 1878. My hon. friend the Finance Minister, when he came into office, found himself face to face with the necessity of making a loan. He had to make a loan when the money market was in a condition which, as I have just suggested, was brought about by the failure of those great moneyed institutions, the City of Glasgow and the West of England Banks, which resulted in a severe shock to public confidence. The late Finance Minister, engaged as he was in his election campaign, neglected to make provision, as he ought to have made provision, for £1,000,000 sterling of our debt coming due in January, 1879. The part of prudence, the part of financial care, the part which should have been taken by any one who is entrusted with the delicate task of managing the finances of a country, would have been to take advantage of the low state of the money market even at the risk of a slight loss of interest, and to make his arrangements for such an obligation in ample time in advance of its maturity. Why, Sir, in 1876 the late Finance Minister told us that had he been a few days later in making his loan of £2,500,000 in the month of November—which he did not want until the following July—he would have had to pay “several per cent.” more for money—certainly rather a loose way of speaking, when one per cent., or even a-half of one per cent., makes an enormous difference in calculating the result of a loan. On the other hand, when he was questioned as to his neglect to provide for the debt due in January, 1879, by a new loan, his reply was that there was no hurry; there was plenty of time. The hon. gentleman knew that if the elections went against him in September, he could not go to England and negotiate a loan, pending the formation of a new Government. He knew that the moment the people pronounced against him as a Finance Minister, he could not appear in the money market; he knew that the delays incidental to the formation of a new Government were hazardous, taken in connection with the negotiation of a loan. But my hon. friend, the present Finance Minister, at the first instant he could leave the country, went to England to negotiate that loan, and he was brought face to face with a time of disaster so great that he was advised to accept subscriptions for half the sum required, and withhold his proposals for the remainder until the distrust subsided. He did not do so, and what was the result? What was the measure of the confidence of the financiers of England—the men who control the money markets of the world in respect to the accession of the Conservative party to power, with its protective tariff, and its promise to keep Canada for the Canadians? The result was that whereas the previous Finance Minister made a loan which did not net 87½—I repeat the assertion, and I challenge contradiction—his successor effected a loan of the same character (that is a four per cent. loan) with the same sinking fund, and the same number of years to run, which yielded nine per cent. more in the money markets of England, in spite of the period of depression in which it was floated. And those very securities which my hon. friend negotiated now stand in the market at 102 to 103, if I understood him aright when he delivered his Budget speech on last Friday. The present financial position of the country is one in which, of course, every man feels the deepest and gravest interest. We have been rescued from deficits; and it was necessary, in order to bring about that result, to increase the Tariff whatever might be the policy of the Government. The hon. gentleman from Centre Huron (Sir Richard J. Cartwright) has argued that if his policy of masterly inactivity had been let alone the country would have righted itself; that he would have had a surplus even out of his bungling Tariff of 1874. Why, Sir, that Tariff left the hon. gentleman with a severe disappoint-

ment as to its revenue results the first year; it left him with a deficit the second year, and the third year, and the fourth year, and it left the legacy of another deficit to my hon. friend the present Finance Minister when he came to frame his Tariff. Not only so, but he would have had a large deficit on his second year, the result of the disastrous policy of the hon. gentleman opposite, but for the fact that his Tariff made an increase of some \$1,300,000 on the receipts of the previous year. The hon. member for Centre Huron (Sir Richard J. Cartwright) always asserts that when he came into office he found that enormous unjustifiable burdens had been imposed upon him by the outgoing Administration. We have heard that cry repeated by every platform speaker on the other side, from the leader of the Opposition down to the smallest whipster that echoes his voice—the cry that their predecessors had increased the public expenditure from \$13,500,000 to \$23,16,000 before they went out of office. I have shown by statements made in this House which are uncontradicted, that the contention is an utterly dishonest one. I have shown item by item—and the Finance Minister will corroborate my statements—that over \$950,000 was added to the expenditure of 1873-74 by the Government which succeeded the Administration which went out of office at that time. It ought to have been chargeable to the year 1874-75. I have the items. I have challenged those items to be controverted, and until some statement is made whereby they are controverted, I say we have a right to state that nearly \$1,000,000, charged, after he went out of office, against my hon. friend's, estimated expenditure for 1873-74 are chargeable to the next year, and should swell up the total of the expenditure of that year. The actual expenditure of 1873-74 should be \$2,450,000. As it stands now upon the Public Accounts, the expenditure was \$23,316,515. That of 1874-75 appears as \$23,713,071. It should be about \$24,660,000, and the receipts of that year being \$24,648,615, there would have been a small deficit. But the hon. gentleman says that the expenditure was increased nearly \$10,000,000 between 1867 and 1873; my hon. friend the late leader of the Opposition, Mr. Mackenzie—who I am also glad to see in his place and I congratulate him upon his recovery, because there is a feeling of satisfaction throughout the whole House to see him once more facing us in the courageous way in which he has faced us for many years, for we respect a straightforward manly opponent—that hon. gentleman has also made the same statement—I estimate that between 1867 and 1873 there was an increase of about \$6,000,000—I have stated that increase, item by item, I have challenged hon. gentlemen on the other side to show a single item which they would have reversed if they had been in power. I have shown that through all the debates prior to 1873, no man lifted up his voice against these increases, because every man knew that they were necessary consequences of the development of the country, of laying the foundation, for of our union of preparing for Confederation, of improving the harbors, building lighthouses, making preparations for the administration of justice and opening up the North-West, creating the Province of Manitoba, bringing in Prince Edward Island and British Columbia. They were all in a proper direction, and such expenditures must necessarily go on as the country develops and improves. The note of the country's prosperity will be an increased expenditure of the country; but we must look to it that that increase is in a legitimate direction and not covered up by cooking of accounts, or by a policy which may keep down the present nominal expenditure, but swell the expenditure at the expense of expenditure hereafter. I have said that it was right and just and fair to increase the public expenditure in the manner in which it was done, and our opponents are careful not to give a bill of particulars when they object to it in gross. No contention can be more unfair

than the one made by the hon. gentleman on Friday night, (Sir Richard J. Cartwright), that my hon. friend, (Sir Leonard Tilley), left a deficit when he went out of office. He did no such a thing. The hon. gentleman stated that his expenditure would be what I have just stated, namely \$22,400,000. He did not make provisions for whatever might be added by those who came after him. He did not make provisions for the \$100,000 for the election which took place, for which he was not responsible. He did not make provision for the fact that \$500,000 was taken from the capital account of the Intercolonial, and stuck into the revenue for the purpose of swelling up the expenditure of 1873-74, or for other items of which he could know nothing. He provided that there should be a sufficient income to meet the expenditure, and there was a surplus of \$850,000. It cannot be contended that that surplus was entirely made out of the result of the Tariff which was passed late in the month of April, 1874. The hon. gentleman (Sir Leonard Tilley) said, in his Budget speech of 1873, that he expected to find, in consequence of large additional charges to the public expenditure in 1873, that a provision must of necessity be made at the next Session for meeting that increased charge upon the public purse. But he said: "I will not deal with it this year, next year I will do so." He was begged by the hon. member for South Brant (Mr. Paterson) to move in the direction of a protective Tariff in April, 1873, when that hon. gentleman said he was disappointed that nothing had been done to bring about a protective Tariff; and when my hon. friend said: "Next year, if I deal with this subject, I will probably deal with it in the direction of protecting the industries of the country." The hon. gentleman then virtually pledged himself to do what has been done by the Conservative party now that he is again Minister of Finance. There was no deficit, there could have been no danger of a deficit then, except for the addition made to the expenditure by his successor, for which my hon. friend is not in the slightest degree responsible. But it is convenient for the hon. gentleman, who represents the financial talent of the other side of the House (Sir R. J. Cartwright) to claim that in one case his Tariff was borrowed, as he may say, largely from the revenue of the succeeding year and added to the receipts of 1873-74. But when my hon. friend (Sir Leonard Tilley) claims, with incontrovertible evidence, the same privilege, he is met with an argument which stultifies the hon. member for Centre Haron, by that gentleman himself. I have the words that the hon. gentleman used when he was claiming that he had a right to consider that his Tariff of 1874 had taken from the revenues which properly belonged to 1875, and he added them to the revenue of the year before. The hon. gentleman knew well that there could be no possible deficit in 1873-74, even admitting that his contention had been true, if he had not added largely to the expenditure of that year by putting upon it items which did not belong to it. But when my hon. friend (Sir Leonard Tilley) claimed legitimately that he was entitled to \$1,300,000 of the income of 1873-79 for the year 1879-80, every gentleman on the opposite side has refused to allow him that contention. Here is what the late Finance Minister said when he made a similar claim:

"In the period from the 11th to the 20th of April, as against \$336,000 in 1872-73, we received \$1,171,000 in 1873-74."

He went on to say that we thus gained as nearly as possible \$1,700,000 under the operation of his new Tariff in that year. Again, he says:

"Speaking of the increased revenue of April, May and June, 1874, the House will remember that this was to a certain extent borrowed from the revenue of 1875."

That statement was accepted with cheers by the hon. gentleman on the opposite side of the House. I heard it when it was made, and I heard the reception it met with by hon.

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gentlemen opposite. In 1876 that hon. gentleman said again:

"I may further observe that, as I explained at some length in the Budget speech of 1875, a considerable proportion of the receipts for 1873-74 properly belong to the year 1874-75; and it may be as well, at the same time, to observe that the receipts for Customs, although in excess of the Estimates, do not fully represent the sum properly due for the year 1874-75, but it is also caused by the operation of the Tariff of 1874."

I do not think it becomes the late Finance Minister (Sir Richard J. Cartwright) to make any statement which implies that my hon. friend's estimates have not been correct, and have not been borne out to the letter. Let us see how accurately the late Finance Minister made his Estimates and forecasts. In 1878, the hon. gentleman stated that he would receive \$23,850,000; he actually got \$22,517,382, and he was wrong on every item of his estimated receipts. His expenditures for that year were \$24,455,381, notwithstanding that he had cut off from the Militia and Public Works chargeable to income, \$1,250,000 in order to cut down the Estimates, without which device they would have been about \$27,500,000. I am glad to see no such misleading plan has been resorted to by my hon. friend the Finance Minister; that whatever Estimates he has brought down are based upon a fair and open statement of items without any attempt at concealment. We know exactly where we are; we are face to face with the facts. I regret to say that the public expenditure is increasing; but I challenge hon. gentlemen on the opposite side of the House to question the different items of which the Estimates are made. I believe our friends on the Treasury benches will show in Supply that every item is perfectly justifiable, and that the House and the people will sustain them.

Mr. HUNTINGTON. We will condemn it by your own speeches.

Mr. PLUMB. My own speeches do not condemn it. I never have condemned anything in the way of proper expenditure. I have complained of this: that the hon. member for Shefford (Mr. Huntington) and his friends taught the people to believe they would institute a system of economy and reform in the public expenditure. And the result of their reform was, what? An increase to \$4,500,000 in the expenditure; indeed, if legitimately and properly stated, it would be nearly \$26,000,000, and that in the face of a depression in the country greater than ever known before. That is what I blame hon. gentlemen opposite for. I have never contended that they would carry out their schemes of economy; I knew they were delusive and fallacious; but I had the right to take the hon. gentlemen at their own word and on their own promises, and to compare their promise before they came into power with the fruition of their promises when they seized the Public Treasury. The hon. gentlemen cannot claim that I have been in the slightest degree unfair or inconsistent in making the statements I make here. I have said from the beginning that no country like Canada can fail to have an increase of expenditure. I say it would be perfectly suicidal to attempt to revert to the policy which has been urged by the hon. member for West Durham (Mr. Blake), that it would be perfectly unpatriotic and suicidal to attempt to go back as he has urged to the expenditure of 1872. Why, it means cutting off Prince Edward Island, doing away with the North-West, driving out British Columbia, stopping the Public Works, and severing connection with the North-West, in fact, isolating ourselves; and I tell the hon. gentlemen that the people of Canada are not disposed to accept that kind of policy. The people of Canada are a progressive, and, to a certain extent and within proper limits, a speculative people. They like to see the opening up of new territory and the inauguration of new projects, and they have no sympathy with the cold-blooded policy propounded by the hon. member for West Durham (Mr.

Blake). No greater mistake was ever made by a public leader than to suppose he can, by any possibility, induce the young men of Canada to take the back track, and to throw away all they have gained from 1872 to 1881. Why, Sir, I know that the public pulse beats in unison with the progressive march of the Conservative party. The hon. gentleman's interruption having led me into a little digression—and I am much indebted to him for having given me the opportunity to offer these remarks—I will now return to the main subject under consideration. I admit there was pressure brought to bear on hon. gentlemen opposite when they were in power. I admit that when they came into office it was impossible that they could fulfil their predictions; I knew they would find it impossible. Everyone who knew any thing about the position in which they had placed themselves was perfectly satisfied that the noble army of contractors and jobbers who had brought hon. gentlemen into power, would demand their wages; and that they were only waiting until hon. gentlemen got into their seats on the Treasury benches to demand them. We had a little inkling of it—probably given in an unguarded moment—from the hon. member for Centre Huron (Sir Richard J. Cartwright), who said:

"The gentlemen from Halifax gave me so much trouble last year and succeeded greatly to my disgust in compelling me to insert one or two items like the service from Halifax to Cork, which greatly increased the total."

The hon. gentleman who led the late Government and his colleagues were, after all, only human. It is a very hard thing to resist the pressure of those who had supported him, the pressure of those who contributed largely to the elections, the pressure of those who had helped the hon. gentleman to elevate the moral standard, the standard of purity which we saw so well exemplified in the election trials of 1874 and 1875, which may be fresh in the recollection of a good many hon. gentlemen who were sufferers on those occasions. Yes; it was not surprising that the hon. gentleman and his colleagues could not pay their pledges. They were insolvent before they commenced business. I hope every possible economy will be practised by this Government; I hope within all proper limits they will keep down the public expenditure. They are bound to do it; but they did not make the kind of pledges given by hon. gentlemen opposite before they came into power, pledges which bankrupted them before they acceded to office, and which went to protest almost before hon. gentlemen had taken their seats in the Ministry. Mr. Speaker, we have another gratifying statement made by the Finance Minister, and that is as to the condition of the public works, the saving which has been effected in their management and the increase in income. It must be remembered, in connection with any increase in the public expenditure upon public works, that it represents, in part, that which is an absolute necessity in getting larger earnings. The expenditure will increase year by year. If the income of the public works is increased it may become a very large item—an item which may at the first step alarm those who see a gradual increase; yet there may be no more legitimate increase than this one which brings earnings with it. Then we have an increase in the public debt. We are told constantly that the policy of the Government of 1873 added enormously to the fixed charges of the country. That is one of the contentions which we hear from those who have taken a leaf out of the late Finance Minister's book, and which is echoed on the public platforms everywhere. That hon. gentleman says we increased the public debt enormously prior to 1874, and left on him immediately pressing obligations to the amount of some \$130,000,000. There were no such obligations upon him. He had to renew a portion of the public debt, and he had to provide for enlarging the canals. He had to make an addition to the public debt of something like \$27,000,000 or \$28,000,000,

under the engagements of his predecessors. But the hon. gentleman was not obliged to carry out any of the schemes of his predecessors in connection with the building of the Pacific Railway. He was not bound to assume it as a public work or to change the policy of handing it over to a private company. He was not bound to build the road from Fort William to Red River, and to leave a gap of 180 miles in the centre. There was no legislation which required that there should be an outlay of some \$17,000,000 or \$18,000,000 in that direction, or an outlay of \$4,000,000 or \$5,000,000 on surveys. These hon. gentlemen came into office perfectly unpledged, perfectly untrammelled. They were not obliged to take up any scheme that they did not approve which had been proposed by their predecessors—and they did not take them up. They took up much greater and more extravagant ones, and if the public debt has been increased by that means, perhaps the hon. gentleman will remember that on a certain occasion the late leader of the Government insisted that I should insert in a certain report I was making that the contracts in British Columbia, and for the 188 miles between English River and Keewatin, were made under his direction and responsibility. But the late Finance Minister has contended, day after day, and week after week, that we added \$2,000,000 or \$3,000,000 to the fixed yearly charges by the legislation of 1873. Well, there was an item for the compensation of New Brunswick for having yielded a claim she had, for certain lumber dues. I would like to hear the hon. gentlemen from New Brunswick contend that it was a reckless and improper thing for my hon. friend to recognize that claim. Then the admission of Prince Edward Island and of British Columbia involved an additional charge on the revenue. I have not heard any hon. gentleman on the opposite side, except perhaps one, venture to say that he wished to have British Columbia excluded from this Confederation, and I have certainly not heard any hon. gentleman say that he wished to exclude Prince Edward Island. There were increases of subsidy to which I have not heard objections from our critical opponents from the Maritime Provinces. These charges were incident to the maturing of the great scheme of Confederation, and I trust the day may not be far distant when other charges will be added for the admission of another portion of British America into the Confederation. Large increases in the expenditure have been made for the development of the North-West. Can any one criticize these expenditures if they have been legitimately made? Does any one wish for one moment to repudiate or recede from a bargain which, through the far-reaching statesmanship of the right hon. leader of the Government, gave us for £300,000 a domain more magnificent and full of promise than any virgin soil owned by any other country under Heaven. It would be perfectly proper to take any charges which have been made against the North-West, and transfer them to a special account, and not consider the yearly charges incident to the protection and development of that a part of the general yearly expenditure; and I say the sale of lands and the value of that country to us will amply recoup us. I have made a calculation as to how much has been and may be paid for that country by the Government. In the North-West for the three items of land survey, Dominion forces and the North-West Mounted Police, there has been an expenditure altogether of \$4,610,316; the original cost of that domain was \$1,500,000; making a total of \$6,100,000. Now, assuming that that country contains 250,000,000 acres of arable land, it is worth, according to a statement of an hon. gentleman (Mr. Mills) whom I see on the opposite benches, \$2,500,000,000, a trifle more than the whole public debt of the United States, because he placed the value of the lands at \$10 an acre before he finished his very exhaustive speech on the Pacific Railway contract. But I will not accept such an enormous exaggeration; I will say that the land is worth \$1 an acre, and that there

are 225,000,000 acres left, after we have squandered, as our opponents term it, 25,000,000 acres in assisting to build the Pacific Railway, and even then we shall have a moderate little property which will more than pay the whole debt of Canada, and leave a very handsome sum in the Treasury, either for the purpose of illustrating the reforms of the hon. gentleman, if they ever get into power again, or of helping my hon. friend here to carry out his engagements. The sum which we shall be obliged to expend in order to have these lands brought into the market, in order to fulfil our obligation with British Columbia, and in order to carry out the pledges made by successive Governments, will be \$25,000,000 for the subsidy to the contractors of the Pacific Railway, and \$3,000,000 for the construction of the line, for which the Government will have to pay, in all, \$28,000,000. That does not include the expenditure already made, but that which we are committed to for the future. Hon. gentlemen opposite had sent their rails to British Columbia; they had led British Columbia to believe, as she had a right to believe, that her part of the road was to be gone on with. The hon. gentleman who led the late Government (Mr. Mackenzie) had intimated that he was prepared to let the 128 miles between English River and Keewatin. Our bargain therefore involves a new expenditure of \$28,000,000 which is an addition of \$1,120,000 to our yearly interest account, and the sinking fund is one-half of one per cent, or \$140,000 more, making \$1,260,000 yearly outlay, which represents the interest and sinking fund of the whole cash subsidy to be paid to the Syndicate for the completion of the road and its maintenance forever. That does not look to me as if it was such a ruinous affair. There are half a dozen western States that have undertaken a great deal more than that. Even to-day there are no less than three roads being pushed through and over the mountains of Colorado, some of them carried to an altitude of 12,000 feet above sea level to compete with each other for the business of the mines, and nobody considers them such tremendous undertakings; yet, according to the statements of hon. gentleman opposite, the whole Dominion stands aghast at the idea that for the sake of getting through communication over our own territory forever, for the sake of laying foundations for a vast empire, for the sake of bringing to market millions of acres of our lands which hon. gentlemen opposite contend will be worth from \$3 to \$5, we are going to add to our debt, in the course of ten years, \$28,000,000, which will cost for interest and sinking fund \$1,260,000 a year. I believe I have very good authority for stating that before ten years will have elapsed, we will have received, from the increased population of that country, over \$3,000,000 addition to the revenue. My authority is the *Toronto Globe*. We have been told by the late Finance Minister who, I am surprised to see, is not in his place—it is quite in accord with his usual courtesy not to be there—that we ought to dispense with the sinking fund in our loans, and he contended, two years ago, when trying to defend his deficits, that there was no necessity to charge the sinking fund against the current expenditure. I never heard in my life so audacious a contention. It was a desperate attempt to glaze over his deficits. It was, he said, not imperative upon him to charge against the year's expenditure that which we had solemnly pledged to make a part of the year's expenditure, the sinking fund upon which the credit of our securities rested, and he argued that it should be deducted from his yearly deficit. Had the hon. gentleman remained in office, and had that argument been quoted against him, I undertake to say he could not have negotiated a security in the English market. It was enough to ruin our credit. I never heard, in the whole course of my life, any contention of a more reckless character from a man pretending to be a financier; and the hon. gentleman must be driven to sore straits when he is compelled to take

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that position—a position I know he would not dare to sustain before gentlemen of financial authority. Had the hon. gentleman tried to make a loan without a sinking fund he would not have succeeded in negotiating one; he would not have been able to prove, as my hon. friend does, the confidence which our system and policy have given to the great lenders of money. The market prices of our Dominion loans are the barometer, perfect and unmistakable, which show the measure of confidence in our future and success. Our loans are not speculative, but are taken up for investment by people who expect to hold them permanently, and the slightest breath of discredit, the least distrust, the slightest idea that we were legislating against England, that we were doing something which would sever the golden bond between the two countries, would very soon be reflected in the price of our public securities in the English money market. But we have no such indications of the financial barometer. On the contrary it gives every evidence that confidence in our future is constantly increasing, as is evidenced by comparisons given by the Finance Minister, of prices of our Loan with those of the Australian Colonies. The hon. gentleman from Centre Huron made a very extraordinary statement on Friday night. He said our prosperity was wholly due to the great crops of last year and the year before, and he made in that connection the statement that the imports and exports always reacted on each other, that where there was a large export there would be always a large import. The hon. gentleman is always very fond of quoting the United States, either as an example for us to be warned by, or one which we ought to follow, according as either suits his case. The United States imports in 1879 were \$446,532,718, and the exports \$728,963,829. I do not see the connection claimed by the hon. gentleman between the exports and imports in that case, and the same discrepancy existed for two or three years before. In this connection I am reminded that we have been patted on the back a good deal by gentlemen who have aired their ideas about Canada in the English reviews and magazines, and who have always compared us with the United States to our disadvantage. I remember particularly the article—in the *Fortnightly Review* I think it was—by Mr. Anderson, the member for Glasgow, who compared Canada to the slack water between two systems, that of the United States on the one side and of England on the other, partaking of the inconveniences and the difficulties of both and getting the benefits of neither. It occurred to me that it would be very well to see exactly how we stood in a comparison of our trade with the trade of the United States. Taking our population at 4,000,000 and that of the United States at 50,000,000, I find that our imports, in proportion to those of the United States, should be, for the year 1880, only \$35,700,000; the imports of Canada were more than double that. I find that the exports for 1879, by the same rule, would only equal \$58,000,000, and those of Canada were 40 per cent. more than that figure. I find that the internal revenue and customs together would represent \$20,000,000 for Canada, and that the whole expenditure of the United States would represent an expenditure for Canada of \$21,250,000; but that is only the expense of the general government. Every State has its own system and incurs large expenditures, which in our system are borne by the Dominion. I find that the receipts would only amount to \$21,500,000 for Canada, that the Post Office revenue was a little larger—it would be \$2,400,000, whereas ours was only \$2,170,000—I find that the debt of the United States would be equal to a debt of \$180,000,000 for Canada, and, in addition to that, there were State and city debts amounting to \$800,000,000. I find that, of arable land, taking the North-West only, assuming we had 250,000,000 acres, we had 60 acres per head of our population; that the United States, exclusive of Alaska, had but 29 acres per head of public domain. Therefore, I think it fair to say that Mr. Anderson

was somewhat mistaken when he said we were but the slack water between the two great systems. I believe we can afford to take care of ourselves, and that the probabilities are that we stand in a much better position than the public supposed, and that proportions relatively between us and our neighbors will be continually increasing in our favor. Hon. gentlemen on the Treasury benches may be congratulated on the great success of a system which I believe we have adopted in the best interests of the country. I have, occasionally, when arguments were being used for and against a protective Tariff, cited the example of a kingdom which had not been generally or fully quoted, so far as I knew, in respect to the very stringent policy which it has adopted in the direction of protection. That kingdom is, in some respects, one with which we can compare our own Dominion. It has nearly the same population—it is the Kingdom of Belgium—formerly united with Holland. Political necessities compelled them to separate. It was supposed, at the time of their separation, that Belgium would not be able to take care of herself—that she would either fall into the hands of France, Austria or Prussia. She was, therefore, advised that she would do best to keep up close trade relations with her neighbors as a purchaser of their wares and had best devote herself to the cultivation of the soil—very much as my hon. friends on the Opposition benches advised the people of Canada that they had better not go beyond the plough and axe, but buy manufactured goods with the product of the severest and least remunerative labor—pay, in this way for all the manufactures they consumed, including a heavy profit to the skilled artizan of a foreign workshop, and be hewers of wood and drawers of water to other countries who kindly offered to supply it. The creation of the Belgian kingdom, fifty years ago, was regarded with great distrust. In separating from Holland, which was a commercial country, she being a manufacturing and agricultural country, it was supposed Belgium was taking great risks. Holland and her colonies had been a market for Belgian products. Belgium gave employment to the Dutch ships, and neither country seemed strong enough to stand securely by itself. Belgium had 5,000,000 inhabitants, 15,000 of whom, only, were dissentients from the Roman Catholic faith. She had the Austrian market when she belonged to the House of Austria, a French market when she constituted a part of the French Empire, and a Dutch Colonial market when she was united to Holland; when she parted from Holland she was in the position of a tradesman who had lost one set of customers and had not gained another. In 1840 her position was one of much general distress and decay, but her people are industrious and skillful, and they have been able to get access for their products into neutral markets and to hold their own. Belgian agriculture has doubled since 1830. Her mines have been developed in a greater ratio. Her iron manufactures have become formidable competitors with those of England, where she has undersold the English manufacturer at his own door. Other industries have been cultivated with almost equal success. Her commerce has been steadily increasing year by year and is now second to that of no other nation in Europe—except France and Germany. It is admitted, even by the most unfavorable criticism, that she stood the late commercial crisis better than other countries. She has a Government of advanced liberality of constitution, a Chamber elected by suffrage of all citizens paying direct taxes to the amount of £1 15s. or about \$8 a year, holding office for four years, half going out alternately once in two years, and a Senate chosen for eight years. That kingdom, instead of taking the advice of the defunct Bastiat, of Mills and Cobden, and of other gentlemen who, like those sitting on our Opposition benches, would have given her Free Trade counsel, resolved to take care of herself. She established, by the will of her people, electing their

representatives by nearly universal suffrage, in the face of all the threats and prophesies of disaster of the theorists of Europe, a most stringent protective Tariff, and what has been the result? The revenue of that country in 1880, was about \$50,000,000, and the expenditure very nearly the same. She had an extensive system of telegraphs and railways, belonging to the Government, a revenue from the Post Office of \$1,200,000; from registration duties, \$1,200,000; succession duties yielded \$3,500,000, and miscellaneous taxes, \$4,600,000. She owed a debt at 2½ to 3 per cent. of \$120,000,000, and at 4½ per cent. \$183,000,000. The population was 4,000,000 in 1830, and 5,336,885 in 1876. I find that the Belgian loans stand in as good credit as that of any kingdom in Europe, and the country possesses 1,131,112 freehold proprietors. The imports for home consumption in 1878, were \$280,000,000; the exports of home products for that year \$214,000,000. She sends to England of woollen and flax manufactures, over \$10,000,000; iron nearly \$4,000,000. The State owns and operates 2,278 miles of railway, the net profits of which are \$7,000,000, and yet this country has a high, in fact almost a prohibitory tariff. Now, I can fancy the condition of mind of the hon. gentleman who is leading the Opposition, if he were called upon to criticize such a financial statement. I can fancy the gloom and the despair with which he would look upon such a state of things, and the eloquence with which he would implore his fellow subjects to throw away their protectionist theories, go back to and unite themselves again with Holland; how he would tell them that with that debt and in that condition of things they could never hope to have any commerce; that France, and England, and Prussia, and Austria would swallow them up, and the sooner they made peace with them and became annexed to them the better it would be. Facts, however, are stubborn things; and an ounce of facts, such as I have adduced, are worth a ton of the theories we have had from the other side. I say that the whole Free-trade argument, from beginning to end, is nothing more nor less than a theory; it is not an axiom; it is not a matter of logic. It cannot be reduced to the certainty of a mathematical proposition. Its beneficial application or adoption depends upon the condition of the country which proposes to accept it; and it is not a horizontal rule which shall be applied universally—or, as in our own case, applied to a country which has a heavy Tariff against it; in other words, to give us a jug-handled free-trade—a free-trade which is all on one side. Hon. gentlemen have not yet ceased to croak about the condition of the country. They have been compelled to acknowledge that there has been an improvement in trade. That conclusion has been forced upon them, but they take it with a very bad grace, because they have been deprived of one of their principal arguments. By the logic of events, as one prop after another is taken from them, the hon. gentlemen will find themselves in the same position as the hon. member for Gloucester (Mr. Anglin) the other night, when he was unable to find his chair, though it would not be quite parliamentary to make any more particular allusion to the hon. gentleman's unfortunate position at that moment. Then we had a long argument from the hon. member for Centre Huron during the discussion of the Budget Speech on Friday, to prove that there had been a misstatement in respect to what was called, on the other side of the House, the Ex-o-dus of our people. The hon. gentleman said in substance that he would accept the statements of American officers, who had been detected in endeavoring to exaggerate the influx into their country, and who will, of course, make every effort to sustain their position for fear of the disfavor of their chiefs at Washington. The hon. gentleman prefers to believe their statements rather than an official document prepared by the proper officer of the Immigration Department, made with authority and laid on the Table of the House—a document which shows that the conclusions of hon. gentlemen

opposite, with regard to the so called Exodus, are utterly absurd. Rather than have his argument fail, the hon. gentleman would adhere to the exploded assertion that the country is becoming depopulated; he would make a statement such as that made by the hon. member for Gloucester (Mr. Anglin), who said that the farmers were leaving his part of New Brunswick by hundreds, forgetting, however, that somebody must buy their farms, and that farmers were not in the habit of leaving their farms unoccupied, or of giving them away for the purpose of fleeing to another country. The argument is one which refutes itself, and was no doubt received with all the weight to which it was entitled. A western newspaper makes use of the following language, with regard to those who are governed by a desire to belittle their country and decri its resources, for the purpose of making political capital against the dominant party:—

"If the Liberals now in Opposition persist in representing Canada as a good country to get out of, there will be people to believe them and start for Kansas or Dakota who would otherwise remain in Ontario or Quebec. The encouragement of an exodus from Canada will not be the only bad effect of such a policy. Emigrants from Europe will surely hesitate to cast their lot in a land where the conditions of living are so unfavorable that the population already there are compelled to flee as from a pestilence. Our Liberal friends may rely that the best way to get rid of an evil is to recognize its existence and remove the cause; that the N.P. has caused the exodus, and that nothing short of the abolition of the N.P. will bring the exodus to an end. The position is a logical one, if we are quite sure that the N.P. has actually caused the exodus. We go the length that the N.P. has been utterly powerless to prevent it, but we recognize such other causes for it as the revival of the mechanical industry in the United States making a demand for skilled labor; the rapid extension of railways in the United States calling bands of navvies from Canada, and the attractiveness of prairie farms in Dakota and other States being increased by the extension of railway facilities. The Canadian N.P. has undoubtedly made the farmer's return for his labor less than it would have been without the price-raiser in Canada, but when we remember that crops and markets have been better in 1879 and 1880 than for some years before we cannot declare that the farmer's actual comforts are much less in 1880 than in 1877, that it is absolutely driven from our soil. \* \* \* \* \* The exodus argument, as a political weapon, can only be useful on the assumption that the Canadian people will not put the Tory Government out of office unless they (the people) are convinced that the country will be depopulated by the policy of that Government. It is an argument of fear rather than of reason. We do not believe that it is a necessary portion of the Liberal kit of tools; the people can be shown the folly of protection and the iniquity of Toryism without injuring the reputation of our country and reducing its population in the process, and for these reasons our vote goes for letting the exodus find its way to the background. The Liberal party cannot afford to be thought of as a party of croakers, and if their leaders and press talk and write about nothing else but hard times, the idea of graves and worms and epitaphs will soon come to be associated with their names \* \* \* \* \* The *London Free Press* impeaches the accuracy of United States statistics, asserting that visitors, trunks, lumbermen, passengers to Manitoba and actual settlers in the United States are all lumped together to make up the number. The *Sarnia Observer* combats that view. We sincerely hope that the *Free Press* is right in this instance, for this country would soon fall behind if it was losing seventeen thousand of its population per month. Whatever the actual extent of the evil, it will certainly be aggravated by making too much fuss about it, and as neither Liberals nor Conservatives desire to bring about that result, we had better pursue our family quarrel on some platform where we shall be less exposed to the inquisitive glances of our neighbors."

Several hon. MEMBERS. From what newspaper do you quote?

Mr. PLUMB. From one whose authority most of our Opposition friends will accept, not one that I often read, however, or very much respect, namely, the *Hamilton Times*. The ex-Finance Minister insisted upon it that we should accept the exaggerated statements of the United States officials on the St. Clair River, and he said we must also bear in mind that not only were the people flying from us, but that by our iniquitous system, as he called it, we had driven the intending emigrant from our shores; he told the British workingman that if he came here he would be iniquitously taxed on every article of consumption; he told the farmer that, if he came here, he would be the victim of the iniquitous system, as he termed it, which has been adopted by my hon. friend and endorsed by the Conservative party. He said he believed that at this moment, owing to the effect of our policy, the workingman in England was

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better off, had better wages, could live more cheaply, was better compensated for his labor at home than he could be in Canada. Well, that was only another branch of that patriotic view of the state of things which hon. gentlemen on the other side are inclined to take. But I have some information in regard to that too. An article in the *Contemporary Review* contained interesting statistics in reference to the wages of the different mechanics of Great Britain, taking the wages in London as giving the fairest and most satisfactory idea of what may be the average throughout the country. I now quote from a *resume* of that article:

"According to this account, which seems to have been got up carefully and with a great amount of labor, the wages in the building trades were on an average, in 1844, sixpence an hour, or \$1.25 per day, at which rate they had stood from 1836. In 1847 an hour and a half was taken off their time on the Saturdays. There was no rise of wages, however, till 1853, when sixpence per day was added, in lieu of the nine hours' day's work which were agitated for. Gradually those wages have risen, till now those current among building operatives may be put down at £1 19s. 4d., or very nearly \$10 per week. This, however, would be putting the matter far too high as an average pay. Making the necessary deductions for broken time, etc., the average, it is said, will not exceed £1 15s. per week, or \$455 per annum. This is altogether apart from what may be lost by the workman's own fault—by going off work, or being too late, etc. The workers in iron have had very little advance in wages during the last 30 years. They now, on an average, stand about \$9 per week, or rather \$8.50. Compositors' wages have we are told, in 30 years advanced 75 cents per week, namely, from \$8.25 to \$9 on day's work, and about 17 per cent. on the prices paid for piece work. The rates, however, are very varied in this trade, though, striking an average, it is said that the weekly pay, whether on time or piece, will not exceed \$7, making allowance for slack time, etc. On daily newspapers as much as \$12.50 will be earned; and some may even rise, on high class work, to \$15, but these are exceptional. In London compositors get \$10, but the ordinary general rates over the country are from \$6.75 to \$8.25. Book-binders, in 1877, averaged from \$7.50 to \$8, while women and girls averaged from \$2.50 to \$3. It is said to be difficult to obtain accurate information in reference to certain domestic trades, but as far as can be ascertained, the wages of tailors have, in 30 years, advanced from 17 to 25 per cent. In London those tradesmen will not average more at the present time, than \$6.2, though some of the best coat hands may get from \$10 to \$10.50. It is to be remarked that the introduction of sewing machines has not sensibly lowered wages—rather the reverse. The wages of shoemakers have advanced in 30 years 20 to 35 per cent. It would be a high average to put their weekly wages at \$7.50. Other domestic trades may be taken as about the same. While such is the general average of London mechanics, and such the increase of their wages in 30 years, what has been the increase of living during the same time? In answer to this, it is said that beef, which in 1847, sold wholesale for \$1 05 per eight pounds, was in 1877 worth \$1.47, while mutton had risen from \$1.10 to \$1.65 for the same quantity. When, however, that meat comes to be retailed to the poorer classes, it is found that the price has advanced not less than from 75 to 80 per cent. All other kinds of meat have advanced in price at least to an equal degree. Bread, thanks to free trade in grain, has kept at very reasonable rates during all the past 30 years—the quality is better, and the price on an average is lower. Vegetables have gone up about 100 per cent. Sugar, tea, fruits, rice, sago, etc., are in a good many cases much cheaper, and in none dearer than they were 30 years ago. House rent in London is high, especially for small houses. Four rooms and a wash-house now command from \$2.60 to \$2.75 per week, and single rooms are from \$1.12 to \$1.37½ per week. The demand for these is so great that all the Peabody buildings and all the model dwellings are filled to repletion, and there are so many applicants as would fill as many more. Coal of the poorest kind is 41 cents per cwt., or between \$8.00 and \$9.00 a ton; while in addition, the poor are cheated both in measure and weight. To arrive at the actual fact the mere quoted prices in the market are not to be taken. Before the workman gets possession the price has been raised considerably. For instance, we are told that on the 17th February last, the highest quoted price for the best coal in London was \$4.37½ per ton, but the selling price on that very day to the consumer was \$7. Now, what about outlay? It is generally held by those who have given attention to such matters that no man ought to pay in rent and taxes more than one-seventh of his income. Prudent people used to hold that he ought not to pay more than one-tenth, but we fear this is generally now given up as impracticable. Well, if the average yearly of a London first-class skilled mechanic be put down at \$455, and this we are assured is a high average, the rent and taxes ought at one-seventh to be \$65. But none manage now at this figure. It is generally over one-sixth, or \$76; frequently one-fifth, or \$91, and sometimes even more. The average then cannot, at the very lowest, be put down at less than \$76. One hundred weight per week for coals cannot be called high when fire is needed for eight months for warmth, and all the year for cooking. This would be forty-one cents per week; while school fees, and the weekly twenty-five cents for the club, to which nearly all workmen belong, would make up, with rent and coals, \$2.25 to be deducted from the \$8.75, the average weekly pay, thus leaving \$6.50 to feed, clothe, and comfort five persons—the average household. This would give \$2.50 for the husband, \$1.50 for the wife, and seventy-five cents for each child, leaving twenty-five cents for incidentals. Then the

fact that the husband has generally to take his breakfast and dinner away from home, which either increases the cost or deteriorates the quality, or rather does both, is to be considered and allowed for. The Sunday dinner, the only one the family takes together, cannot be reckoned at less than seventy-five or eighty-seven cents. Deduct all those items, and there is a little over \$4 to feed, clothe and doctor the family. Now, it will be noticed that these figures are not given by an enemy of the workingmen, or by one who wishes to disparage London, or England, and its advantages. He has no little game to play as an advocate of the colonies, nor does he desire to draw contrasts unfavorable to England and England's skilled workmen. On the contrary, he wishes to show that the charges of improvidence frequently brought against English workmen are utterly false, as he proceeds to do by giving the official returns of their savings. We, however, take these figures as thus given by a skilled and friendly witness, and we ask anyone to compare and contrast them with what is the corresponding state of things in Toronto say, even as things stand at present. We are often assured that wages are lower and expenses of living are higher in Toronto than in any large city in Britain, London not excepted. Let anyone completely acquainted with the facts make the comparison, in the light of the statistics we have just given and say if such is the case. No one would say that there are more skilled mechanics out of employment in Toronto than in London at this moment."

That was in 1878 when there was said to be an enormous number of people out of employment; that was a period when there was not actually employment for labor in this country, and yet this statement goes to prove that the workingman is infinitely better off in this country than he is in England, that, notwithstanding the contention of gentlemen on the opposite side that the Free-trade policy of England and the abolition of the corn laws have ameliorated the condition of the workingmen, such is not the case. There is no adequate advance in the wages of labor there in proportion to the increased cost of living. The authority I have read is, I think, a sufficient answer to the hon. gentleman who unpatriotically asserts that the policy of my hon. friend under which no single item of household necessity can be shown where there has been an advance due to the Tariff, has so taxed the workingman that he is better off in England than here. The quotation comes from a newspaper in the west which will be considered a good authority by hon. gentlemen opposite, although it has led them into sore difficulties, and plunges them deeper day by day. It is the *Toronto Globe*. The hon. member the ex-Finance Minister was not satisfied with saying that the workingman was driven away from our shores, but he said he believed the policy adopted by this Government would put an average tax of \$10 an acre on every farm in the Dominion. This is almost as extravagant as the statement made the other day by a wild enthusiast in the *Globe*, that the subsidies and privileges given to the Syndicate amounted to at least \$300,000,000, and it can be relegated to the same limbo as that statement. I do not think that a hap-hazard assertion like that should be, for one moment, received by anybody with confidence, even though it is the statement of a man who claims to stand in the authoritative position of an ex-Minister of Finance. But we are told by a witty resident of the hon. gentleman's native city, who, doubtless, knows his characteristics, that you might as well try to get a mule by the hind leg as to try to reconcile a Grit to a national enterprise. I believe that is true. I believe the hon. gentlemen, no matter what their experience is, no matter what unanswerable evidence they may have, will be blind to the fact that the policy which has been adopted on this side of the House has been successful, has been in accordance with the promises we made, and has been acceptable to the public; but they will stand exactly in the position of those who are blind leaders of the blind, and are given over to believe, what I do not think it would be parliamentary to characterize by its right name. Why, Sir, on the morning of the election, the great organ of the Reform party, claiming to have the ear of the whole farming population of Ontario, claiming to mould public sentiment to a degree that no other public print has claimed to mould it, misled the people, deceived the people, hoodwinked the people by this article:

"All that has been going on during the last two months in the constituencies and the journals has been only preliminary to the great battle of

to-day. The time for argument is passed. It only remains for us to ask electors to go early to the polls this morning and record their votes for the candidates of their choice, and then lend a helping hand to their neighbors who have no vehicles. Make it a holiday from business—a day devoted to work for the country, for sound principles, for pure morals, for the election to office of honest and straightforward men."

And the electors took that advice, but not as the *Globe* intended.

"One day in five years is a small tax on the ordinary voter; some have given weeks and even months to the duties of the canvass. Let the day be given by Reformers freely, and they will have their reward in the new lease of power which Mr. Mackenzie and his colleagues will receive. We have before predicted the triumphant success of Mr. Mackenzie at the polls, and have since had no reason to change our view."

The leading organ, it will be seen, made no reference to another gentleman who now leads the Opposition, *vice* the member for Lambton, deposed. It continues:

"The Dominion will decide by a large majority against the return to power of Sir John A. Macdonald, with his unhappy memory of the Pacific Scandal and his equally unhappy fiscal policy, which would inflict upon the country burdensome taxation, excessive inflation, heavy exactions from all classes, but especially the poorer, great danger to British connection, and much damage to our international trade. One more effort and the work is done."

Well, people did not do exactly as the *Globe* advised; some things do not come out in this world always exactly as we expect.

"The best laid schemes of mice and men  
Gang aft agley."

When I saw the ex-Finance Minister rise opposite to my hon. friend, Sir Leonard Tilley, his successful successor, and attempt to stem the torrent, attempt to swim, as it were, against the cataract of Niagara, I certainly felt a little sorrow for that hon. gentleman, because I contrasted his present position with that when I first saw him in this House in 1874, and when we sat in the seats occupied by hon. gentlemen opposite, but we knew enough not to stay there. That hon. gentleman, I say, then arose in his place, amid the cheers of the subservient majority at his back, and, at the close of every sentence of his first financial speech—a speech in which he did his very best to injure the credit of his country for the sake of denouncing his predecessors, a speech full of ranting vituperation and ill-concealed hate—he was cheered to the echo. Every venomous sentence he uttered was received with shouts of applause, peals of laughter and the clapping of hands by the triumphant majority who sat there and fancied they were going to sit there forever. But they faded into mist; and it is a humiliating spectacle to see that hon. gentleman now rising in his place, with none on the benches behind him so poor to do him reverence. Not a man, even of those who were his most subservient *claqueurs* of old, encouraged him by a cheer. He went on with his dreary platitudes hour after hour to a drowsy House, although some of his quondam followers were compelled to listen to him for the sake of late appearances. But the main part of his following, if he ever had a following, were enjoying themselves in the lobby, in the smoking room, or had left the House. It was a sad and melancholy commentary on an attempt to run counter to public opinion—a commentary on a course which has brought to utter destruction a great party—a party which had some noble aspirations, some high ideas, and which, on the whole, desired to foster the best interests of the country. It must have been a pleasant position for the hon. gentlemen opposite to sit behind one who had been their leader, and hear him utter without change—except that he must have been schooled into a little more respect for hon. gentlemen on this side of the House and for the decencies of party debate—exactly the same arguments that led them over the brink of a precipice in 1878, and will leave them floundering in the slough beneath for many years to come. Their leaders sought to recover themselves by abusing the manufacturers; by telling the farmers that they were hoodwinked and deceived. They accused the manufacturers of wringing foul gains from

the pockets of the poor man. They encouraged the small traders to increase the prices of retail articles of all kinds because of the National Policy. I have heard the most absurd reasons given for such unwarrantable increase of the prices of goods which could not possibly be affected by the National Policy. They are now beginning a raid upon railways, as dangerous monopolies. The next crusade will be against capital invested in some other form. That is the policy that warns men that if the gentlemen opposite come back to power, they will strike at every vested interest. Their policy has been, from beginning to end, a policy of obstruction. It is their misfortune to have stood logically committed to such a course by being compelled to oppose the Conservative party which has brought forward all the great measures that have benefitted the country. Their luckless fate has compelled them to oppose every such measure, except for a brief period when their leader struck hands with ours and joined with him fairly and patriotically in bringing about the union of these Provinces. It is a misfortune that these gentlemen should be placed in their present position. We regret it and speak of it more in sorrow than in anger. It has the effect of making the party in power too strong. A strong party always needs a check, and that check should come from the constitutional Opposition. We were told by the ex-Finance Minister that he intended to deal generally, but had only time to deal cursorily, with the points in dispute between the two sides of the House, and particularly between the hon. Finance Minister and himself. From a computation I have made, the hon. gentleman spoke 18,250 words in the course of his brief and cursory examination of the points at issue. When one thinks that the hon. gentleman made use of 18,250 words to sustain thoroughly false positions, to take what is called a cursory view—I do not want to use the word in a double sense, though I think it might be applied in that sense to the hon. gentleman's remarks—one cannot help concluding that if he dealt with the question *in extenso*, we would have to add to the reportorial staff and lay in a fresh supply of stationery for the official debates. I have no doubt that I will be followed by hon. gentlemen who will take the same line of argument as the hon. gentleman has taken. I understood that a speech is impending from my hon. friend, the amiable, the excellent, the intelligent and logical member for West Middlesex (Mr. Ross). That hon. gentleman always pays special respect, attention and tribute to me. He has been pleased at various times to indulge in a kind of pleasantry, which reminds me of Kaulbach's picture of a certain ponderous, long-eared animal, that was trying to frisk before his master like his companion, an active little spaniel. That hon. gentleman, on more than one occasion—for I suspect he has a hand in certain little productions that I see now and again—has done me the honor to say that I have been occasionally guilty of making rhymes. I doubt, if that is a reflection upon one's character, but it seems to be thought a crime of some sort by hon. gentlemen opposite; however, I, at least, am consoled by knowing I have a companion in guilt whom one would least suspect. My hon. friend from West Middlesex himself, who speaks so sarcastically of bards now, for whom I had then great sympathy, came to me, not long ago, with the tremulous, blushing hesitation of a young maiden of sweet sixteen, and confided to me the *opon* secret that he too was a poet. He told me where I could find the production of his Muse which had been sitting in incubation probably for a weary time, and had at last succeeded in hatching a couple of very limp and very feeble verses, as remotely resembling the healthy offspring of a healthy mind as the little chick hatched by the heating process by the glass hen resembles those that are brought to life by a healthy mother in the natural process of incubation. The hon. gentleman wished me to give my opinion of his verses; of course, in that compliment-

Mr. PLUMB.

ary sense in which we always endeavor to foster genius, I told him they were very sweet and lovely, at which he blushed again and thanked me, and went away. I am afraid, however, my praise did the hon. gentleman much harm, for I think I have recognized his Muse in some other productions, maliciously signed with my name, in Grit papers, and my encouragement, I am afraid, well meant though not quite sincere, has brought a little deserved punishment on myself. Though I wish to spare the hon. gentleman's tender feelings, I could not do him a greater favor than not to encourage him to go on in that path upon which he entered, and which, I am sorry to say, seems to be strewn with thorns. The hon. gentleman has undoubtedly the ability to make the best of a bad case. He did me the favor to strew my path, not with flowers of nature but with flowers of rhetoric, for he sent into the county before the last election in which I was a candidate for Parliament, and under his own frank, I believe, copies of a speech he delivered in the House, and of which he seemed to be very proud. That speech dealt with averages, but was itself somewhat below the average. I do not know that I ever heard of the speech in the county, but I saw it in one or two farmers houses, and it did not seem to me to have had any great effect; although the hon. gentleman takes great pleasure in persistently asserting that I was elected only by a majority of two, he is probably not aware of the fact that his argument, at any rate, did not aid the candidate who opposed me in such a way as to spare him the expenditure of \$17,500 which he confessed he was obliged to make in order to get the small majority of two by which he held his seat for a few weeks. He was finally thrust out of it, disgraced and disqualified for seven years. I think the hon. gentlemen opposite might as well let that matter alone, because I do not think they do any kindness to the unfortunate gentleman whom they are constantly dragging before the public. I wish the hon. member (Mr. Ross) a happy deliverance of the same old speech. And now, Sir, I repeat that this whole country sees with pride and pleasure that every pledge which was given to the public, prior to the elections of 1878, had been carried out by the party that then succeeded to power upon an issue which the people accepted with such unanimity, that, to-day, its advocates in this House stand almost as three to one against the hon. gentlemen on the opposite benches, and I am also delighted to find that every day and week brings additional evidence that the fruition of this policy is what was claimed it would be. The result was not to come in a day, in a week, or a month, but its success was only a question of time; and we now are beginning to reap the benefits of this policy, though the Finance Minister has labored under every disadvantage from the moment he began his work in connection with it, until to-day, and no greater difficulty has been encountered than the utterances of hon. gentlemen opposite, and the course pursued by the press by which they are sustained. The hon. gentleman on the Opposition side (Sir Richard J. Cartwright), who made such a melancholy exhibition of himself on Friday night, claims to be the exponent of public opinion, and ventures to assert that he and his political friends beside him represent the sentiments of the people of Canada. I repudiate any such idea, and the people will repudiate it also, and refuse to accept the theories of those hon. gentlemen as against practical facts and the good practical sense of men who have framed the present Tariff and the policy which has brought back to the country the renewal of confidence and the revival of trade, as well as the prosperity of which it was deprived during the five years of the misrule of the hon. gentlemen who now deservedly sit and will continue to sit on the Opposition benches. We are ready at any time, when it becomes necessary, to take that policy as a watchword and go before the public for its decision upon it. We can

sustain it as we have sustained it. We honestly believed what we taught. We were told we were deceiving the people and never intended to do what we promised, and had no idea of establishing a Tariff of a protective character. We were told by the late leader of the Opposition at Kingston, in 1877, that Sir John A. Macdonald would as soon establish a republic as a tariff for protection. In reply to that, the public took the hon. gentlemen opposite at exactly what they were worth, after having seen them for five years on the Ministerial side of the House. The people learned to value rightly their promises and arguments, and gauge exactly their professions and promises. They had seen hon. gentlemen opposite promise one thing out of office and do the very opposite when in office, had seen them violate every pledge they made; and now, when the main army is crushed, humiliated and beaten, to say that the battered remnant represent public sentiment, is the height of audacity. My hon. friend opposite (Mr. Paterson, South Brant), with his stentorian tones, will rise by and-by and attempt to say that he represents a modicum of the public opinion of the country. He may have the power of attracting the mob, and in North Ontario at the election there last summer, upon the platform, with his very glib tongue and *ad captandum* style he was preferred to his leader; and this preference has persuaded him that he may claim to be a leader of public opinion. But we are perfectly willing to leave the hon. gentleman to his small self congratulations, and where he will be when he again goes before the public for re-election.

Mr. PATERSON (South Brant). What do they say about you in North Ontario?

Mr. PLUMB. The hon. gentleman can state whatever he likes on the subject. My course in North Ontario will be, I believe, endorsed by the Minister of Finance, who I accompanied, by invitation of Mr. Gibbs, and who, I have no doubt, had a better opportunity of judging of it than the member for South Brant, who was not there with me. I do not think it becomes him, then, to allude to what I think he means, because he knows the report is not true.

Mr. PATERSON. Then leave the hon. gentleman alone.

Mr. PLUMB. I have endeavored, Mr. Speaker, so far as I could, to supply a place that could have been far more worthily filled. I acknowledge my shortcomings, however. I am not like the hon. gentlemen opposite, and particularly like the hon. gentleman who has just said "hear, hear," (Mr. Paterson) who thinks the sun rises to hear him crow. I do not value myself as that hon. gentleman values himself. But I say this: there never has been an occasion on which the Conservative party—the great party that, I believe, is to mould the destinies of this country for many years to come; the great party to which has been entrusted the mission of uniting it by bands of steel from ocean to ocean—had greater reason to be proud of those to whom it has entrusted the Government of the country; had greater reason to be satisfied with the policy adopted by its representatives, or greater reason to be hopeful for the future; had greater reason to believe that Canada, as a country standing in connection with the great Mother Country, uninfluenced politically by the power that lies alongside of her, will be able to carry out her magnificent destiny and become the proudest and greatest appanage of the greatest sovereignty upon earth.

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

#### AFTER RECESS.

Mr. ROSS (Middlesex). Before entering upon a discussion of the Budget brought down by the hon. Minister of Finance, you will permit me, Sir, to congratulate the hon. member for Niagara upon the distinguished position which

he occupied to-night. That hon. gentleman, Sir, has been singled out on several occasions for marks of ministerial approbation; but I do not know that on any former occasion, since I have been a member of this House, has he occupied such a distinguished position as that of representing or attempting to represent the Minister of Railways. The hon. gentleman expressed his regret at the absence of the Minister of Railways. I join in that regret. I have regretted that up till to-night the hon. Minister of Railways has been unable from severe illness to occupy his wonted place; but, after listening to his representative for two or three long weary hours, I regret it still more; and if we have to submit to the infliction of such a representative for many weeks longer, I do sincerely hope that the most vigorous efforts will be made in order to secure the speedy recovery of the hon. Minister of Railways that he may take his place in this House and represent himself. I said that I congratulated the hon. member upon so distinguished a mark of ministerial approbation. He has been variously distinguished by similar favors. Wherever any missionary work has to be done; whenever a "mob of settlers," as he called the rural electors of North Ontario, are to be enlightened; whenever a distinguished associate has to be found for Ministers in their peregrinations in the country, the hon. member for Niagara is at once applied to. He has been ready with his assistance on former occasions, and I have no doubt he will be equally ready in the future. I hope the hon. member will not retire.—

Mr. PLUMB. I am modest.

Mr. ROSS. I say that while the hon. gentleman has ever been ready to accompany Ministers in their peregrinations, he has been equally ready to retire at their request. It is a matter of notoriety that in his recent tour in North Ontario, where it was expected that he would accomplish marvels for the Government—where one would suppose—

Sir LEONARD TILLEY. Did I understand the hon. gentleman to say that I requested—

Mr. ROSS. I did not say so. I say that the hon. gentleman went to North Ontario, where it was expected the hon. gentleman would electrify the mob of settlers in that riding as no other member could electrify them, but it appears from the public prints that the hon. gentleman's services were not so acceptable as he supposed. The hon. gentleman will permit me to read a short article on the subject.

Mr. PLUMB. I rise to an explanation.

Mr. ROSS. The hon. gentleman rises to interrupt, and I do not intend to give way to him.

Mr. PATERSON (Brant). He made the attack.

Mr. PLUMB. I made no such attack as the hon. gentleman is making on me.

Mr. SPEAKER. Order.

Mr. ROSS. The *Toronto Telegram* is the paper from which I shall quote, and perhaps the hon. gentleman will recognize a friend in the writer, for the *Telegram* is not a supporter of the Opposition. It says:

"Mr. J. B. Plumb's orations in North Ontario were more oppressive than impressive, as the Tories of Uxbridge found to their cost. After the meeting in that village which was addressed by the Finance Minister and the 'sweet singer of Niagara,' the local managers are said to have telegraphed to the managers at the next place of meeting to get Sir Leonard Tilley to occupy most of the allotted time, as Mr. Plumb was doing them harm by his prolix inanities. The hint was, it seems, taken and acted on, but Mr. Plumb will not feel at all pleased with this explanation of the shortness of the time allowed him."

Sir LEONARD TILLEY. Perhaps the hon. gentleman will allow me to say a word. I do not know to whom he refers, but so far from any such communication being sent by me, or with my knowledge, I can only say that I only heard

of it afterwards, and that of course I knew nothing about the committee. I may say, further, that the two addresses delivered by the hon. gentleman were among the most effective I ever heard.

Mr. ROSS. I knew the hon. member for Niagara would receive a compliment from the Minister of Finance. The quotation does not say that the Minister of Finance was telegraphed to. It says: "The local managers are said to have telegraphed to the managers at the next place of meeting." That might have been done without the knowledge of the Minister of Finance, and probably was, and probably the effect of it was to secure the quiet retirement of the hon. gentleman from the field, for the time being. I was, however, calling your attention, when I so disturbed the member for Niagara, to the mark of approbation which the hon. gentleman has received from the Ministry time and again. Recently a more distinguished mark of ministerial favor was conferred upon him than upon any other member of this House. There is an item in the Public Accounts to the small tune of \$125, though I presume it is quite large enough for the service received.

Mr. SPEAKER. The hon. gentleman cannot refer to a matter which took place in Committee.

Mr. ROSS. It appears in the report which the Committee has made to the House and a copy of which I have in my desk.

Mr. SPEAKER. The hon. gentleman is quite in order in that case.

Mr. ROSS. I am glad the hon. member for Niagara has taken his seat again, for nothing pleases me more than to see his smiling face. I was about to say that there is an item of \$125 in the Public Accounts as a payment for 5,000 copies of a speech delivered by the hon. member for Niagara. It is a small item, but it is, perhaps, more than the speech was worth. It is a small item compared with the amounts which have been paid for literature of a similar kind, written by less noted gentlemen than the member for Niagara. I congratulate him on this mark of distinction; for it is the first time such a mark of distinction was conferred on a member of Parliament. Although the edition was a small one, although it was only one-fourth, or perhaps one-fifth as large as the editions of some of the penny-aliners, who have written pamphlets for the departments, I have no doubt the hon. gentleman regarded it as a very distinguished mark of approbation. But that is not all, the hon. gentleman has other work to do. He is, Sir, a Jack-of-all-trades in this House. If any hon. gentleman on this side has to be attacked, presto the hon. member for Niagara rises to his feet, and, in the language of the hon. member for Lambton (Mr. Mackenzie), he is over ready to throw "rhetorical dead cats" across the floor of the House. If a matter has to be investigated of a questionable character, who so ready to undertake the task as the hon. gentleman from Niagara. If it is in the interests of his party that he should speak against time, if any disagreeable task has to be performed, all that is necessary in order to get it done is to pass a note to the hon. member for Niagara and the work is done, with that ability which characterizes all his public utterances. Sir, these marks of favor have a significance. I feel quite sure that the hon. gentleman sitting so near the Ministerial benches, within one desk of the Minister of Justice, has for many years cast longing eyes upon the coveted position. He knows that there is no man on that side of the House so well qualified to hold a portfolio as the hon. member for Niagara, and I have no doubt his impotency is difficult to be disposed of. What is done to appease the hon. gentleman? He is just asked to represent the Minister of Railways. To the member for Niagara that is the next thing to holding the portfolio of the Minister of Railways. He is asked to permit, graciously to permit, the copyright

Mr. Ross (Middlesex).

of his speech to be handed over to the Minister of the Interior to be circulated in this country and in England, and that satisfies his ambition. He is as gratified with that as if he held the portfolio of the Minister of the Interior. Strange, and it is a matter I cannot understand, how a man of his surpassing ability, of his profound knowledge, of his wonderful erudition, of his sublime powers of imagination, can be so easily appeased. Is it not an illustration that great men have their failings? Put toys, a little bauble, a gewgaw into the hands of a child, and it is as satisfied as if that gewgaw was a coronet. Give to the member of Niagara some little favor, some little condescension, if it be but a passing smile, if it be but a simple recognition when he goes around bowing from desk to desk to receive the congratulations of hon. members, and the hon. gentleman is just as satisfied with these simple marks of favor as if they were the most distinguished positions, in the hands of the Crown. The hon. gentleman charges me with having sent to his riding a copy of a speech I delivered in this House on the subject of averages. I have no recollection of it. Perhaps that speech found its way into the hon. gentleman's county—he said he saw two or three of them there. Sir, it would be wholesome reading for people accustomed to hear my hon. friend. I do not know but there may be some truth in the hon. gentleman's statement. I have been looking over the majorities he received on three different occasions, and I fancy, from the result of the last election, that his constituents must have received some copies of my speech. Let us see. At his first election he received a majority of 30, but he was, unfortunately, unseated. He received at the next election a majority of 103. Then these ill-omened speeches of mine on the subject of averages went into his county, and the hon. gentleman was defeated. Sir, his popularity is declining. He who, on his first acquaintance with his constituents, could receive a majority of 30, had something to boast of. When at the next election he could command a majority of 103, that was something to be proud of. When again he was able to bring out a majority of two, through the intervention of the Court, he thinks of all others that he is entitled to reverence. The hon. gentleman also charges me with consulting him in regard to some poetic composition. Well, perhaps that is true. I cannot vouch for the fact, I have my doubts about it, but I can promise the hon. gentleman that I will not do it again. I promise him that if he purposes to follow the trade of poetry I shall abandon it. I am willing that he should have the copyright. I think it is all that this Dominion can bear to have one such poet as my hon. friend. If I had as much ability as I may have ambition I might aspire in that direction. I will now assure my hon. friend—and I think I am guilty of no breach of confidence—that if the hon. gentleman wishes to persevere in that task in which he has been engaged, I will not interfere with that copyright. The hon. gentleman said that in the campaign of 1878 the country was carried because the cry of the Conservative party was "Canada for the Canadians." Sir, it was a very good cry. I think the hon. gentleman is under estimating the effect of that cry. Does he not recognize that the elections of 1878 were carried because he had taken the platform and gone up and down through the Province of Ontario? Does he not recognize the fact that the elections of Ontario were carried, not because the cry was "Canada for the Canadians," but because the hon. gentleman had written verses on the subject? I might give numerous illustrations of what the hon. gentleman wrote. The result of the election was not the ability of the present First Minister, neither was it the National Policy, neither was it the cry of "Canada for the Canadians," but because the hon. gentleman was able to circulate through the public prints of Canada those poetic effusions which so impressed the people as to decide them to vote for the party the hon. gentleman represented, illustrating again the old saying:

"Let me make the songs of a people and I care not who make their laws." When people are treated to such verses as this:

"Protection for our coal, protection for our oats,  
Protection from the ravages of those old Yankee bloats."

Who is there that would not feel that the fate of the country was at stake, and that the man who could write such poetry as that must have been led on by some divine enthusiasm to rescue this country from the quagmire of degradation and destitution into which it was fast sinking through the mismanagement of the Liberal party? I do not propose to follow my hon. friend any further on this line. Indeed, I think perhaps it was unnecessary for me to pay him so much attention. I can thank the hon. gentleman for anticipating me in the gentlemanly manner in which he did; I can thank him for taking notice of so ignoble and humble a member of the House as I am, once in a while—I esteem it a great condescension indeed. But let me say, seriously, that notwithstanding the stale rhetoric of the hon. member for Niagara, notwithstanding the buoyancy with which the hon. the Finance Minister brought down his Budget the other night, there are certain circumstances in the financial condition of this country worthy of our serious consideration. With our present heavy obligations, with the necessity of going at an early day into the English market as borrowers, with such a prospect before us it is our duty carefully and seriously to consider the present financial condition of this country. I do not, like the hon. member for Niagara appeared to do, look upon the national debt as a small affair. It is a serious affair for a young country like this, with our resources undeveloped, to be adding to that national debt from day to day. This was the view taken in 1877, when the debt of Canada was some \$16,000,000 less than it is now, by the hon. Senator Macpherson, speaking in the Senate, when he used these words:

"I ask if this increase in the actual burdens in connection with the public debt is not a serious matter? I look upon it with alarm when I consider the unprofitable and useless objects for which the capital is being expended from day to day."

Sir, if it was alarming in 1877 when this speech was made it is surely more alarming at the present moment. There are two or three facts in connection with this indebtedness which must not be lost sight of. The first fact is, that our debt at the present moment amounts to \$156,942,471, an increase of 100 per cent. since Confederation, 14 years ago, next June, when we had a debt of \$75,728,641. Our present debt represents \$39.23 for every man, woman, and child in the Dominion of Canada. And with our present obligations, within the next year the debt of Canada will represent \$50 per head. More than that, our present indebtedness represents a mortgage of \$9 on every acre of improved land in the Dominion, a mortgage of \$900 on every 100 acre farm of improved land. Or, to put the case in another form, it represents \$4 an acre on every acre of land in the possession of citizens of the Dominion, or \$400 on every 100 acres of land improved and unimproved, averaging them. That is a serious matter. Let the hon. member for Niagara (Mr. Plumb) go into the rural districts, among those mobs of settlers to which he refers, and let him tell the farmers that, through the intervention of the great Conservative party of this country, our indebtedness has increased 100 per cent. in fourteen years, and there is at the present moment on their 100 acre farm, mortgages which must be redeemed at some time, or the interest on which must be paid, and what will they say? They will say it is a serious matter; it is serious to the taxpayer, it is serious to this Legislature. And it is serious in another aspect. That debt represent a fixed charge on the revenue. We pay annual interest on our national debt to the amount of \$7,773,868, or an average of \$1.94, or nearly

\$2 per head. That is not all. For besides our interest account, we have a fixed charge for subsidies, a fixed charge as interest, so long as Confederation lasts. Taking interest and charges for subsidies, the people have to contribute, in order to meet fixed charges, the sum of \$2.63 per head. This is a serious matter, and it is even more serious when we compare it with the position of our neighbors to the south. The debt of the United States is considered a serious matter, but it only represents \$35 per head as against our \$39. Their debt is on the decline, our debt is on the increase. The interest charge of the United States represents \$1.41 per head; our interest charge and charge for subsidies together amount to \$2.62 per head. Now, serious as this indebtedness is, and serious as those obligations are, we might look upon them with complacency, if we felt assured that the tax-paying resources of the people were equal to the emergency. The Minister of Finance rather boastfully spoke of the tax producing power of his Tariff. It requires no ability to invent a Tariff that is tax producing; the hon. gentleman has invented a Tariff which is certainly tax producing. But what concerns me is not the tax producing capacity of the hon. gentleman's Tariff, but the tax producing ability of the consumers. If every workingman feels to-day that on every dollar he consumes for the necessities of his family, twenty cents must go to the public exchequer, does he not feel himself burthened? Every working man thus spends on the necessities of life eighty cents out of every dollar, 20 cents going towards the revenue. Just fancy the situation. A workingman at \$1.00 per day, earns, taking 313 working days in the year, \$313. He expends that sum on the necessities of life, and I desire the House to notice that the necessities as well as the luxuries are taxed, and more heavily taxed in many instances. How does he divide the money? That money must be spent for the maintenance of his family; but before the family's wants can be satisfied, \$62.60 must go where? Into the public exchequer, leaving him the balance of \$250.40, for the maintenance of his family. This is a serious matter, and although it may be one of the good points of this Tariff, that it is a revenue producing one, yet it is a serious matter, in the face of our heavy obligations, in the face of our increasing indebtedness, in the face of the large fixed charges now resting on the Dominion. Face to face with that fact, we have the other astonishing fact that this Government, instead of endeavoring to relieve the tax payers of this country from a heavy annual expenditure, are going on increasing the expenditure. The hon. member for Niagara (Mr. Plumb), with his usual bravado, challenged us to investigate the public expenditure, and to show whether that public expenditure was at fault. I will accept his challenge, and I think I shall be able to satisfy even the hon. gentleman that the expenditure is unjustifiable. What is the record of the Conservative party in respect to the public expenditure? Let me give a point or two from the balance sheet of the last Public Accounts. I find that, from 1867 to 1873-74 they increased the annual charges for interest and subsidies by \$2,285,508; they increased the ordinary or controllable expenditure in the same time by \$4,693,778; and they increased the total annual expenditure by the enormous sum of \$9,832,829. The hon. member for Niagara (Mr. Plumb) justifies that expenditure, and charges the Liberal Administration with extravagance. What did we do? In the few years we occupied the Treasury benches we reduced the controllable expenditure by the sum of \$1,781,566; and that, notwithstanding the fact that we had to borrow large sums to meet the obligations imposed on us by the previous administration; notwithstanding the fact that, to meet the interest charged for the borrowing of that sum, we had to expend \$1,324,447 more than our predecessors, we were able to show at the close of our career only an increase of \$186,841 in the total annual expenditure of the Dominion.

Why, is not that a satisfactory record? Whereas hon. gentlemen opposite added \$10,000,000 to the expenditure in their six or seven years of office, the Liberal party, extravagant as it was said to be, were able to manage public affairs, discharge the obligations which hon. gentlemen opposite had incurred, meet the increased expenditure for interest, amounting to nearly \$1,500,000, and yet retire from office having increased the whole expenditure only \$186,000. And what has it been since? Why, these hon. gentlemen seem to have scarcely warmed their seats and yet we have \$724,985 added to the charge for interest alone. In these two short years they have added to the controllable expenditure \$421,342, whereas the Liberal Government were able to reduce the controllable expenditure by \$1,781,566. They have done more than that. While we in four years added only \$186,000 to the total annual expenditure of the Dominion of Canada, hon. gentlemen opposite, whose cause the hon. member for Niagara champions with so much enthusiasm, added in two years \$1,346,476. These are facts which I mention at the present moment, not to point out the extravagant tendencies of the Government, but to call the attention of hon. gentlemen opposite to the serious, or as the Hon. Mr. Macpherson put it in 1877, to the alarming character of our financial position; and if this will not arrest hon. gentlemen in their career of extravagance, I know not what will. The hon. member for Niagara said he was prepared to justify every expenditure of his friends during the last two years. I will give him an item or two of that expenditure. With regard to the first item that occurs in the Public Accounts, that of civil government, we found that when the Liberal Government assumed office in 1873 the departmental salaries amounted to \$548,498. We were burdened with large additions to the Civil Service made just previous to the retirement of the previous Administration. During the four years the Liberal party occupied the Treasury benches, the charges for departmental salaries were reduced to \$545,528. But no sooner had hon. gentlemen opposite resumed office than this expenditure began to rise again. In 1878-79 it rose to \$566,301, and in 1879-80 to \$613,160, an increase of \$67,632 in two years. Will the hon. member for Niagara justify that expenditure? Take the whole expenditure for civil government and the following facts are disclosed: when the Liberal Government assumed office in 1873-74, it amounted to \$909,265; during their four years of office that was reduced to \$823,369, a reduction of \$85,896. Since the advent of the hon. gentleman opposite to the Treasury benches, that expenditure has gone on until it has reached the enormous sum of \$898,605, and the Minister of Finance, whose ideas of economy seem to me to be some what peculiar, has brought down an estimate asking this House to vote \$960,368 for this service for next year, or an increase of over \$137,000 over and above the largest sum required by the Liberal Administration. I call the attention of the hon. gentleman opposite to that alarming fact.

Mr. JONES. We have got the money.

Mr. ROSS. Yes; they have got the money out of the consumers, out of the taxpayers, out of the laboring men, whose particular friends they professed to be; those who consume flour, bread and coal, and who have to deprive themselves perhaps of some of the necessaries of life in order that these hon. gentlemen might gratify themselves by putting their friends in office. A return brought down last year shows that from the 13th of February, 1879, to the 3rd of February, 1880, 554 new appointments were made by hon. gentlemen opposite, and that after deducting those who were deceased, those who were transferred to other offices, and those whose services were dispensed with, 313 of these appointments were new appointments, and will the hon. member for Niagara justify that? Has it come  
Mr. Ross (Middlesex).

to this that hon. gentlemen sitting behind the treasury benches are prepared to throw challenges across the House and say: "No matter what the extravagances of their leaders may be, no matter how heavy the burden may be upon the taxpayers, no matter how large a surplus the Minister of Finance may have to spend, these expenditures will go on increasing regardless of the interest of the taxpayers of the country." In the management of the next department, that of the administration of justice, we were charged with extravagance. Well Sir, what do we find? We find that in 1878 the expenditure in that department was \$564,920, while last year it was \$574,311, or an increase of \$9,390, and the Minister of Finance is asking for next year \$599,430, or an increase of \$34,510 over and above the largest amount expended by the Liberal Administration. Does the hon. member for Niagara justify that expenditure as being in the interest of the public? Then I come to the item of Immigration; and you will recollect that during the administration of the Liberal party there was nothing for which they were more severely censured than for their expenditure on immigration. We were told that it was not in the interest of this country to encourage immigration. We were told that there were large numbers of people in this country without employment, and that it was no time to encourage people from other countries to come and settle amongst us. But no sooner had hon. gentlemen opposite taken their seats on the Treasury Benches than they began to increase the expenditure in immigration. In our last year it amounted to \$180,961, last year it had run up to \$183,204. And that is not all. While they have increased the expenditure on immigration, the results have not equalled those of the previous year. In 1879, 40,492 immigrants landed on our shores; in 1880, 38,505 landed, showing an increased expenditure with diminished results. That is not all. While bewailing the misfortunes of our people unable to find employment, while bewailing the large number who were daily leaving Canada, they assured the people that if they were only once back on the Treasury benches the exodus would cease. Yet, since they have assumed office, the exodus has gone on with increasing rapidity. I will just give one illustration of the enormity of that exodus. In the public prints some time ago appeared a report of what Mr. Taylor, who was the means of bringing large parties of emigrants from Ottawa to Manitoba and the North-West, said. He told us that out of a total of 4,638 emigrants whom he conveyed to the North-West in 1880, only 886 went to Manitoba, while 385 went to Dakota, 331 to Illinois, 1779 to Michigan, 36 to Iowa, 43 to Nebraska, 87 to California, 12 to Colorado, 28 to Montana, 113 to Ohio, and 17 to Kansas. Thus, out of a total of 4,638, our North-West Provinces only got 886. This fact ought to induce hon. gentlemen opposite to reconsider the charges they made against the Liberal party. If the hon. member for Niagara were only entrusted by some of the Ministers to the delicate duty of withdrawing, from his place in the House, the charges made by him and by others against the Liberals because of the expatriation of our people, he would confer, in so doing, an honor on his party and render his country a signal service. Now, we come to another item in regard to which serious charges were made against hon. gentlemen on this side—the item of superannuation. We were told that we were superannuating officers with the view of making places for our friends, and that the expenditure for superannuation was increasing very rapidly. Perhaps it did increase too rapidly, but the hon. gentlemen who blamed us have not diminished that expenditure themselves. During our last year we expended \$106,588; hon. gentlemen opposite, last year, expended \$127,792 on this item, an increase of \$21,204. If to that you add the amount expended for unforeseen expenditure, you will find that the actual increase last

year amounted to \$29,549 on superannuation. Will the hon. member for Niagara justify that expenditure? The hon. gentleman whom he professes to represent to-day, said in his speech in the House in 1878: "No age entitles a man to superannuation, while the Government requires his services and wishes to retain them, for the age placed in the Act is merely nominal; and thousands of the most intelligent and intellectual men in the country are sixty years of age." The charge brought against the late Government by the hon. Minister of Railways in 1877-78, was that they passed a Superannuation Act in order to provide for their followers, and that charge was based entirely on the fact that we had increased the expenditure under that head. Taking up the line of argument of the hon. gentleman whom the hon. member for Niagara represents, am I not justified in saying that the increased expenditure under the head of superannuation is unjustifiable, and made with the view of getting rid of gentlemen in order to fill their places by supporters of the Government? On looking over the superannuation list, we find that 69 of the gentlemen superannuated are under 60 years of age, that several of them are under 40, and we find, further, that 49 of them have had ten years added to their time of service. We find that although the Superannuation Act has only been in force for ten years, 355 gentlemen are now drawing their share of this \$127,600. We have had since the Act came into force \$800,857, and have received from the civil revenue \$435,531, leaving a balance of \$365,325 to be contributed out of the public revenue, or an average of \$36,000 per annum. This is a serious matter. I agree that it may be in the interest of the country to provide for the superannuation of those rendered incapable from age or illness of rendering further service to their country, but the power to superannuate is one that ought to be exercised judiciously and honestly; and although I am not prepared to say now that hon. gentlemen opposite have not exercised that power honestly and fairly, I contend that hon. gentlemen opposite should be extremely careful before taking any more money out of the public revenue for the purpose of increasing superannuation expenses. I come next to the Militia Department, a department to which the hon. member for Niagara referred, and by his mode of referring to the expenditure of that department it would appear that he blamed us for reducing its expenditure by \$500,000. I know of no other department in the public service that would better bear reduction. From no other do the people get less value. There is no interest in this country that needs an expenditure of \$600,000 or \$700,000 annually for the maintenance of a militia force. We are at peace with all the world; we have no prospect of immediate war. There is no necessity why we should keep up a force which is merely a nominal one, which is neither drilled or disciplined so as to be effective. What has been done by the United States? They have disbanded their forces until the number has been reduced to 25,000 men. If the United States, having such large interests and such extensive commercial relations as they have, can defend themselves with 25,000 men, surely the Dominion can defend herself with less, and at the expenditure of a smaller amount of money than we are now expending. In 1878 the late Government was blamed for expending the large sum of \$618,136 on the militia service. Hon. gentlemen opposite spent last year \$690,018 or an increase of \$72,000, and I see by the Estimates for this year that they are asking for \$748,100, or an increase of \$129,946. I would not be disposed to begrudge that money if I believed it was wisely expended. We have the expenditure something like the following: For the maintenance of the civil branch of the Militia Department, \$43,396 expended; for maintenance of "A" and "B" Batteries a very large sum; and out of the total of \$690,000 taken last year, only \$159,227 went into the pockets of the

volunteers. Now, what do we keep up a Militia Department for? Evidently to drill our young men in the military service. Yet, here we are going to spend \$750,000 next year—we did spend \$690,000 last year—and less than one-fourth, or a little over 20 per cent. of that amount actually went to the purpose for which it could be alone effectively spent, and we are pursuing a similar policy this year. The present system is cumbrous, and if the present Minister of Militia can see some way of reducing that expenditure, he will not only confer a great boon on the taxpayers, but a great boon upon the volunteers themselves. Last year, forsooth, they were called out for nine days drill, and paid for only six days drill. Under the late regime, the volunteers were paid their expenses coming and going, and if they remained in camp over Sunday they were paid as well. But last year they were not paid for coming to and going from camp, nor for the stay over Sunday. They must be brought down, and put on the smallest pittance of 50 cents a day, and receive only six days pay for nine days work. And why? That the gigantic military machinery may be kept running, a machinery not effective for its purpose. If it is going to be effective, it can only be made so by the drilling of our young men. I admit it is effective so far as the maintenance of our Military College is concerned. I approve most heartily of that establishment, and of the proposition of the late Minister of Militia to endeavor to drill the young men in our high schools and collegiate institutions. I believe that was a step in the right direction. But every dollar we spend hereafter in this department, unless expended with the view of securing better equipment and drill for our volunteers, is a dollar wasted, and I, for one, will call hon. gentlemen opposite to account for that expenditure. I have said the machinery is cumbrous, and, I shall show it is. In the first place, we have a Minister of Militia, who is not paid more than he ought to be, I suppose, \$7,000 a year; then there is a Deputy Minister, who gets like the other Deputy Ministers, \$3,200 a year. Next comes a Major General, who receives \$4,000, and an Aide-de-Camp, \$1,000. I do not begrudge the Major-General the salary, but I disapprove of the policy of inviting a gentleman from England or any other country to act as a Major General over the forces of Canada. I disapproved of that policy under the late Administration and I disapprove of it now. I believe we have men better acquainted with the spirit and genius of the people of this country, and who could devise a cheaper and more effective system of drill than could be devised by any gentleman trained in English military schools, where everything is done regardless of cost. Then we have an Adjutant-General, at \$3,200, I believe a very valuable officer, and 12 Districts Deputy Adjutant-Generals at \$1,700 each, and nine Brigade-Majors—you see how the steps go down—receiving for travelling expenses and other allowances, last year, various sums from \$1,160 to \$3,000, odd. You have a regular gradation in the Minister of Militia, the Deputy Minister, the Major-General, his Aide-de-Camp; then the Adjutant-General, the Deputy Adjutant-General, and the subordinate officers. In this branch of the department alone the country expended, last year, \$56,201, and for drill instruction only \$42,575, or less than we spent on the maintenance of the departmental staff in Ottawa. Is not this expending money in the wrong direction? I am aware the system has prevailed for many years. But I am taking this opportunity, while not blaming the Government for the present system, to express my grievance that the Militia system of Canada is ineffective so far as the expenditure of money is concerned. I believe the volunteers are enthusiastic and loyal; but if there is any efficiency in the service, it is maintained, not by a judicious expenditure, but through the loyalty and enthusiasm of those volunteers, who receive only 20 per cent. of the whole expenditure on the Militia service. I now come to the item of miscellaneous, which is

somewhat miscellaneous, exhibiting an undoubted increase under that head also. For the last year of the late Government it reached \$81,167, but last year rose to \$183,718. The estimate for this year is a little less. I might mention, in justice to hon. gentlemen opposite, that a large portion of the expenditure last year under the head of miscellaneous, was made up of the large grant to the sufferers in Ireland and of that to the people of Hull, grants amounting to considerably more than the increase under this item. Besides these there are, however, a number of peculiar items; for instance, the firm of O'Connor & Hogg, for professional services, got \$16; Senator Fabre, for visiting France in connection with the Tariff, \$1,000; for a number of books purchased from Lovell, written on the administration of Lord Dufferin—and a very unfair historical narrative it is—\$96; I find the Hon. J. J. C. Abbott, for ninety-eight days' services in England, in connection with the Letellier matter, received \$1,960; paid to Messrs. Langevin and Abbott, for expenses to England, including those ninety-eight days, \$3,680; to W. H. Fraser and others, for assisting in incubating the National Policy, \$2,136. I come now to the next item, which is the most alarming of all, for it is assuming the form of a fixed charge upon our revenue—namely, the expenditure upon the Indians which, in the last year of the late Government, amounted to \$421,508. Last year it reached \$694,572. There is a supplementary estimate of \$212,281, making an increase of 100 per cent. on the Indians as compared with the expenditure of the late Administration. The present Government excuse that outlay on the ground that starvation prevailed in the North-West among the Indians. I doubt if that accounts for all this increase, however, I think the Department of the Interior to which the Indians belong, is allowed to run itself, if I may use a common expression. I have no doubt that, unknown to the head of the department, there is more extravagance and fraud in Indian affairs than prevail in all the other departments put together, and that is saying a great deal. In looking over the expenditure on the Indians, I see enormous or significant items at least. Under the head of supplies to the Indians, the following prices may be picked up at random: in some cases the purveyors to the Indians paid \$2 a bushel for peas; \$2.50 for corn; \$2.50 for wheat in the North-West, where it can be bought ordinarily at 60 cents a bushel; \$2.50 for barley. Then we have \$227 a month for herding cattle, 25 cents a pound for sugar, 12 cents a pound for beef, 25 cents a pound for nails, \$50 a barrel for pork, \$1 a pound for tea, \$1 a pound for tobacco, \$80 a thousand for lumber, and \$12 a ton for hay in a country where hay is indigenous and grows very freely. These figures are taken at random, and they are not the only significant figures contained in the report under the same heading. Now, hon. gentlemen will endeavor to cover these figures under the plea that the starving Indians were the cause of this increased expenditure. I venture to say that if they properly attended to the furnishing of the supplies for the Indians of the North-West, they could cut down that expenditure nearly \$200,000. We were blamed because our supplies were bought from Americans, and that a chance was not given to Canadians to furnish them; but if you look at the Public Accounts, I believe you will find that these same Americans are still furnishing these supplies by way of St. Paul and other places, and that some of the instances there given have reference to supplies so furnished. I come now to the next heading—that is the expenditure of the department presided over by my genial friend the Minister of Customs (Mr. Bowell). You will remember how that hon. gentleman, from nearly the same place that I now occupy, told the Liberal party in 1878 that they were grossly extravagant. I will not charge him with extravagance. I might even, if I were disposed to do so, pay him the compliment, though in the strictest confidence, of saying that I

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believe he administers his department well; but I have to say also that its expenditure is increasing, and that is the very charge that he brought against us. I find that the expenditure of that department for 1878 was \$714,527; last year it was \$716,126, and now the hon. gentleman asks for \$732,119. No doubt he will be prepared to justify that increase; perhaps it is justifiable; it seems very reasonable and very little fault can be found with it. But one circumstance is worthy of notice. You will remember that the statement was made in the fly-sheets of the late Opposition that the expenditure at the port of Montreal was rapidly increasing, while the revenue was declining, and I believe that was the case. But it was further stated that the old Government were engaging men by the day for the purpose of influencing the electors of that city. You will find it stated in a speech of the Minister of Railways in 1878, that the only reason why the Minister of Customs of that day expended \$18,000 in daily wages, in 1877, in the city of Montreal was for the purpose of getting political power over these people in order to compass the defeat of the present member for Cardwell (Mr. White). If I were disposed to indulge in innuendoes, I might say that the hon. Minister of Customs expended, not \$18,000, but \$27,699, in the payment of daily wages, only for the purpose of keeping the three gentlemen who represent the city of Montreal in their seats. I do not, say so. I have no reason to think that such was the case, but I do say that I have as much reason for saying so as hon. gentlemen opposite had for making such insinuations in 1878. Let us look at the next department, that of Excise; and in speaking of it I will quote what Senator Macpherson said of it in 1877:

"It is incredible that the necessities of the service call for so large an increase in the expenditure."

Now, in 1878 the expenditure of that department for the collection of excise amounted to only \$215,024, and that was the expenditure which Senator Macpherson could not understand was called for by the necessities of the public service. I wonder if the hon. Senator can understand why the interests of the department now call for an expenditure of \$219,284. It is remarkable that the expenditure for the Excise department is increasing while the revenue is largely reduced. That was the charge which was brought against the late Government with regard to the expenditure for Customs. We were told that, because our receipts from Customs were diminishing, we should reduce the expenditure. Here we have a case exactly in point, for the revenue from excise has largely diminished last year, while the expenditure is increasing rapidly. In Ontario the revenue from excise fell off last year \$400,160, while the expenses of collection increased \$2,414. In Quebec the revenue fell off \$334,307, and the expenditure increased \$1,479. In Nova Scotia the revenue increased two per cent., while the cost of collecting it increased 12 per cent. The total revenue from excise fell off \$626,244, while the expenditure increased \$4,259, and hon. gentlemen are asking for next year the sum of \$271,856, or an increase of \$56,832 over the extravagant expenditure of the Liberal Administration. I put this on the same grounds as hon. gentlemen put their argument with regard to the Customs Department in 1877. If they asked us to reduce the expenditure under that head because the revenue was decreasing, certainly we are justified in asking them to reduce the expenditure under the head of excise when we find that the revenue under that head is also decreasing. Next let us look at the Weights and Measures—one of the most vexatious subjects of discussion in this House. Under the so-called extravagant management of the Liberal Administration this service cost \$96,484 in 1878, and we collected \$30,034. In 1880 the same service cost \$60,566, and this Government only collected \$15,372; or in other words, under the Liberal Administra-

tion it cost \$3 to collect a single dollar of revenue under the Act, while under the careful and judicious management of the present Government it costs \$4 to collect a single dollar of revenue. Let us look now at the Post Office Department, which was, for a long time, under the management of the present Minister of Public Works. I find there has been a large increase in the expenditure of that department. The estimated expenditure for the current year is \$218,562 more than the amount expended in 1877-8, and it is remarkable to notice where the expenditure occurs. I am free to admit that it is in the interest of the public to extend the postal service with the expanding civilization of this country. It is natural and reasonable to expect an increase in the expenditure of this Department. But you will notice that the increase is not in providing accommodation for the public as much as it is in paying liberally those who serve the Government in this particular. Notice that the increase in the expenditure for the conveyance of mails was only \$20,765, whereas the increase in salaries amounted to \$145,873. I would be willing even to advance the salaries of Postmasters, were it absolutely necessary. I am willing to admit a necessary increase in that department, but that increase in salaries is more than seven times as great as the increased expenditure for conveyance, and it is for that reason, I find fault and ask the attention of the Post Office Department to this matter. Now I come to the Department of Public Works. We were told in 1877 that the Public Works of this country were badly managed, indeed that they were extravagantly managed. Let us look at two or three points in connection with the management of Public Works. I find that the revenue from the Canals in 1878 exceeded the expenditure by \$31,252, whereas in 1880 the expenses exceeded the revenue by \$22,863. I ask the attention of the Minister of Public Works to that fact. Going into details I find that the revenue from the Welland Canal has fallen off, since 1873, \$52,782, whereas the expenditure has increased \$12,267. On the Chambly Canal the revenue fell off \$1,623, and the expenses increased \$8,005; or, putting it as I put it before, while the revenue in 1878 exceeded the expenses by \$31,252, in 1880 the expenses exceeded the revenue by \$22,823. The same is true of slides and booms in the same Department. Since 1878 the revenue decreased \$38,374, and the expenditure increased \$10,999. In all, the Public Works, leaving out railways, I find that the revenue decreased \$6,164, and the expenses increased \$44,094. Now, Sir, you will permit me to make a few remarks in regard to the Intercolonial Railway expenditure. I regret that the Minister of Railways is not here; however, his absence is no excuse for my not referring to matters contained in the report laid upon the Table. You will remember the boast that was made in this House, that under the management of the present Minister of Railways the expenditure on the Intercolonial was being reduced very rapidly; in fact, it was said the revenue would very soon be equal to, if not in excess of the expenditure. That boast was made by the Minister of Railways himself in his speech delivered at London during the Christmas holidays. That boast would be a worthy one if it were justified by the statements contained in his own report laid upon the Table of the House a short time ago. Let me notice how that apparent reduction in expenditure is made. I challenge the most rigid analysis of the statement I now make. You will find by his own report that in 1877-78, when the hon. member for Lambton retired from the management of that department, there were on hand \$345,422 worth of stores. At the present moment that account is reduced to \$163,889; that is to say, instead of keeping up the supplies for ordinary railway purposes as he found them, the Minister of Railways has been drawing upon the supplies of his predecessor to the extent of \$181,533. Now, in order to estimate the respective expenditures under the two heads it will be necessary for us

to add that amount to the expenditure last year, for that amount has actually been drawn from the amount that stood to the credit of the Intercolonial when the present Minister of Railways took charge. You will also notice in the report that in 1878 the late Minister of Railways expended \$192,778 for fastenings, new sidings, and rails laid upon the road during that year. Last year the Minister of Railways only expended \$7,962 on steel rails. The hon. gentleman takes credit for the reduced expenditure; the true credit which he should take would be the difference between the amount required for steel rails in 1880 and the amount expended in 1878. In order to keep the road in a proper condition the late Minister of Railways spent \$31,056 for sleepers and ties; in 1880 the present Minister spent \$18,695, in that way effecting a saving of \$12,361. Again, the late Minister expended in 1877-78 on repairs, snow sheds and fences, \$37,752, while the present Minister expended last year \$27,367. Now, if you turn to the report of the Minister of Railways you will find that in 1880 the total expenditure on the Intercolonial is put at \$1,603,429, to which must be added \$379,195 saved from the necessary expenditure incurred by the late Minister. So that, taking that as a basis of calculation, what do we find? Instead of there being a deficit last year, which was put by the Minister of Railways in his report at \$97,131, the only honest deficit that can be given is \$486,326, or a greater deficit than that which existed under the late Minister of Railways in 1878, when it was \$432,325. The conclusion of that argument is, that because the wants of the Intercolonial did not require the expenditure of \$180,000 for steel rails, because the Minister of Railways drew \$180,000 on the stores, which was like drawing on the rest of a bank account, because he spent less money in the maintenance of the road, having found it in such a good condition of repair that he required to spend less money, he was able to give us all these reductions and show an expenditure such as I have already named. If he wishes to compare his actual reasonable expenditure on the Intercolonial with the fair and honest expenditure of the late Minister of Railways, he will find that his deficit in 1880 was \$54,000 greater than the deficit of the late Minister. I come now to discuss another branch of this subject. The Finance Minister and the member for Niagara were very loud in their boasts of the beneficial effect of the National Policy. It would almost appear from their remarks that they credited the National Policy with all the prosperity which this country enjoys. Following up the same line of argument, the hon. gentlemen might claim credit for the prosperity in the United States, in Great Britain, in France or in Germany. Is the Finance Minister prepared to show that the prosperity which this country enjoys is due to the National Policy? Had we no depression previous to 1872-73, and did not the country rise from that depression to a much higher degree of prosperity, without a National Policy, than it enjoys at the present moment? Was not the depression in the United States just as serious, and perhaps even more serious than the depression in Canada? Did a National Policy change the condition of affairs there? Was not the depression in England very serious? Were not thousands of operatives crying for bread; were not the iron furnaces extinguished for several months; were not all the industries of England depressed? And yet without any National Policy the trade of England revived. Sir, it is an idle boast for hon. gentlemen opposite to claim that the prosperity which prevails in this country is due to the National Policy. A stimulus may have been imparted to certain branches of industry because of the high Tariff. We always admitted that a high Tariff might stimulate certain branches of industry. We admit that still, but the hon. Minister of Finance must admit with me that the present prosperity of this country is not due to the National Policy, but to the bountiful harvests of the last two or three

years. Sir, this is a fact which is undeniable. Does not the hon. gentleman know that the harvest of 1877 was a poor one indeed, that our supplies of food even were not equal to the necessities of our people. According to the report of Mr. Patterson, Secretary of the Montreal Board of Trade, I find we were short, in 1877, of wheat and flour supplies to the extent of 2,363,000 bushels. This difference in 1877 was a serious thing for a country like this; but since then we have had bountiful harvests and we have exported largely, last year of wheat alone, 7,000,000 bushels. Now, the moment you admit the fact, that the exports of agricultural products have so largely increased, that the exports of animals and their products have largely increased, and when in that connection you consider that the mainstay of the industrial prosperity of this country is its agricultural prosperity, you can come to no other conclusion than that the prosperity of Canada is due to the bountiful harvests and not to the National Policy. There may be other circumstances subsidiary. For instance, there has been a revival of trade in the United States; there was a large demand for our bread-stuffs in England, consequent on the poor harvest there last year, the effect of which was high prices. There was also the revival of trade elsewhere in Europe. The effect of that revival was felt by the Dominion, and as we had produce to send them and the markets were good, money became plentiful and cheap and prosperity began. The hon. Minister of Finance must not forget, for instance, this fact, that we exported in 1880, \$4,500,000 more of agricultural products than in 1878, and that there was also an increase in the exports of products of the forest. The hon. gentleman must not forget the fact, which he must know, that our industries, being dependent upon the prosperity of those industries I have named, will know no prosperity, except as they and the whole country are prosperous. I can tell the hon. gentleman that if there is a poor harvest this year, if we have to buy our grain in the American market or wherever we can get it, neither the National Policy nor fifty National Policies could rescue this country from hard times and depression. If disaster should overtake the agricultural interests so as to destroy our crops, the effect would be depression and financial disaster. Sir, the trade of the United States revived almost contemporaneously with our own. Let me give the House this fact, that in 1878 the United States exported only \$680,683,000 worth of produce. Last year they exported \$835,793,000, showing their industries had revived also, and on account of the intimate commercial relations between Canada and United States, the trade of the Dominion was affected. Then the business failures of this country have declined. Why? Just because the depression had passed away as a natural consequence. Look at the enormous failures in 1877, 1878 and 1879. In 1877 the liabilities of our insolvents amounted to over \$25,000,000, in 1878 to \$23,000,000, in 1879 to over \$29,000,000, whereas in 1880 the value was a trifle less than \$8,000,000, thus showing that in the natural order of events the trade of the country was assuming a proper basis, was becoming more firmly established; and when to those circumstances you add bountiful harvests in 1878, 1879 and 1880, you complete the sum total of the financial prosperity of this country. Then the Finance Minister claims it is of great advantage that the balance of trade is now apparently in our favor. There is no more fallacious reasoning than that of endeavoring to deduce prosperity from a favorable balance of trade. If the hon. gentleman will look at the Trade Returns of this country, he will find the following facts. If he will take the years 1872, 1873 and 1874, during which the trade of Canada was exceedingly prosperous, he will find there was a balance of trade against us of \$105,873,000. If he will take the years, 1876, 1877, and

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1878, during which our commerce was depressed and our business at a standstill, the balance of trade against us was only \$49,454,600. According to the reasoning of the Finance Minister, then, we would be prosperous when not prosperous, and business would be depressed when everything was buoyant. The same applied to the United States. Take the year 1878, when the failures in the United States amounted to several hundreds of millions of dollars—yes, to over \$200,000,000—the balance of trade in favor of the United States that year was \$257,786,000. Last year the balance of trade in favor of the United States was \$100,000,000 less; and yet who will say the United States were more prosperous in 1878 than in 1880. Look at the commercial prosperity of England. Why, the simple fact that the balance of trade against England is £177,000,000, while her factories are busy, her ships sailing every sea, when every industry is active and trade buoyant, would leave us according to the reasoning of the hon. Finance Minister, to look not for prosperity, but for depression. Take the case of France. In the three or four years following the Franco-Prussian war, what do we find when industries were depressed, when destitution and famine prevailed in certain portions of that unfortunate country? The balance of trade invariably in favor of France. But when prosperous times came, when the nation relieved themselves of their liability to Germany, what do we find? In 1876, the balance of trade was £16,500,000 against France; in 1877, £11,000,000; and in 1878, when she was much more prosperous than in 1872 or 1873, the balance of trade against her was £44,000,000. The hon. Minister of Finance will prove nothing by an argument based upon the balance of trade; and the hon. gentleman who has had such long and intimate connection with the financial affairs of this country, should not have pinned his faith to such fallacious reasoning. The hon. member for Niagara this afternoon showed that Belgium, for instance, last year, imported \$280,000,000 worth and exported \$214,000,000 worth, making a balance of trade against her of \$66,000,000, and yet Belgium was selected by the hon. gentleman as an instance of industrial and commercial prosperity. If the Finance Minister will look over the Statesman's Year Book in the Library, he will find that Spain, Turkey, Austria, Russia and Egypt have a balance of trade in their favor, while Great Britain, Germany, Belgium, Denmark, Sweden, Norway and France have a balance of trade against them. I prefer to attach my faith to the theory of the balance of trade as illustrated by Great Britain and France and other countries that are prosperous, rather than that we should try to reduce our imports, so as to have the balance of trade in our favor. The hon. Finance Minister, in his financial speech, attempted to show that this Tariff, of which he and his friends boast so much, does not discriminate against Great Britain. We brought that charge against the Tariff in 1879, and I repeat it now. I say this Tariff does discriminate against Great Britain. I am not putting the matter on the ground of loyalty, I am merely stating the fact, and I will give the hon. gentleman the benefit of my information on the point. In 1878, before the change, the average tariff on dutiable goods from Great Britain was 19.58, and from the United States 23.34, a difference of 2.76. Has the hon. gentleman maintained that difference? Not at all; the tariffs are now as near as may be alike. In 1880 the average tariff on goods imported from Great Britain was 24.03 and from the United States 23.06, a difference of .74; or, comparing our present Tariff with that of 1878, there is an increase of 4.45 per cent. on goods imported from Great Britain, and only .74 on those imported from the United States. That discrimination is all the more pronounced when we apply it to certain articles. Take the following articles, for instance, and let us compare the average duty paid last year on the imports from Great Britain,

as compared with that paid on those from the United States:

Articles Imported.	From United States.	From Great Britain.
	Per cent.	Per cent.
Books.....	14½	12½
Cottons (bleached or unbleached), sheeting, drills and ducks.....	30	25½
Guighams, plaids, eyed, &c.....	36½	30
Jeans, denims, drillings and shirtings.....	33½	29½
Blankets.....	41½	33½
Cassimeres.....	31½	26½
Ordinary Flannels.....	30	29

I call the attention of the Finance Minister to these facts in proof of our contention that, wisely or unwisely, the Tariff is so peculiarly framed that instead of encouraging importations from the Mother Country it discourages them by a discriminating duty averaging at least four per cent. We were told, when this National Policy was introduced, that it would preserve the Canadian market for Canadian manufacturers. Everybody knows that the cry went up from far and near that Canada was being made a slaughter market for American manufactures. Has the case been very materially altered? Is not Canada a slaughter market to-day for American manufactures as it was in 1878?

Some hon. MEMBERS. No.

Mr. ROSS. I will show hon. gentlemen that it is. If you deduct provisions, cattle, grain, corn, and other breadstuffs from the importations, the balance will be manufactured goods, will it not? Deducting these from the entire imports of 1878, we have a balance of \$41,287,274 representing the manufactured goods which were imported for the purpose of being slaughtered in the Canadian markets. Applying precisely the same rule to last year, we find that we imported then from the United States nearly a million dollars more than we did in 1878 to be slaughtered, as it is said, in this country. I am not objecting to slaughtered goods from the United States, but hon. gentlemen who framed this Tariff to prevent the importation of American manufactured goods will find on every page of the Trade and Navigation Returns the Tariff has failed in that respect. In some instances we do not import so much perhaps, but in other instances we import more than we did in 1879. Of books, we imported in 1880, \$877,761 worth, as against \$990,112 in 1878; of brass manufactures we imported in 1878, \$108,000 worth, and in 1880, \$224,000 worth; and yet we hear not a word from hon. gentlemen opposite that these importations of brass are interfering with our brass workers in Canada. In 1878 we imported \$85,429 worth of carriages, and, in 1880, \$137,379 worth. Our carriage makers were told that the duty was so low that American carriages were coming in and driving the Canadian manufacturer to the wall. The importation of carriages has increased 50 per cent. under the present Tariff, which we were told was going to keep Canada for the Canadians, to prevent Canada from being made a slaughter market, and build up all our industries. In 1878 we imported \$32,197 worth of copper manufactured; in 1880 we imported to the value of \$125,191, an increase of nearly 400 per cent. Of cottons, on which the duty has been increased by this Government, we imported in 1880 \$7,835,164 worth against \$7,370,222 worth in 1878, thus showing, no matter how the cotton industry may have revived under this Tariff or the improvement in the financial prosperity of the country, that our Canadian market is not protected against importation on that account. Of flax, and goods manufactured from it, we imported in 1880 \$1,124,548 worth against \$977,853 worth in 1878, showing a very large

increase. I might take up other items of a similar kind and I would find similar results. Paper and its manufactures was imported in 1878 to the value of \$573,834, and in 1880, \$804,934. Although in some particular instances we have not imported foreign manufactures in 1880 as largely as we did in 1878, yet taking the total of our imports of foreign manufactures for 1880, it will be found that the amount of foreign goods placed in the Canadian market, whether slaughtered or otherwise, will be equal to the importations of 1878, so that, so far as preserving Canada for the Canadians and protecting the Canadian market from being made a slaughter market for foreign manufactures, we have no protection at all. I do not complain of this. It is not the policy of the party I support to complain of it. We are willing to buy our manufactures, so far as it is consistent with our own interest, in that market where we can get them cheapest and of the best quality. I am merely pointing out this fact as an instance of the utter failure of the National Policy to preserve our Canadian market to the Canadians. We were told that the National Policy would so foster our Canadian manufactures that we would be able to supply the markets of the world, that under protection the trade of the United States had rapidly increased, that their cottons went to Manchester and that we would find American cutlery in Birmingham and Leeds, underselling English goods in the English markets. We were told that the development of our manufacturing industry would be so great that all the world would come to Canada to buy her manufactured goods. What has been the result? The hon. member for South Brant the other night proved that so far from fostering the manufacturing industries of this country in the matter of export, the National Policy had materially depressed our manufacturing industry. In 1878 we exported manufactured goods to the value of \$1,127,755, and in 1880, to the value of \$3,242,617. If you deduct scrap iron, as the hon. member for Brant said, and one or two items that can scarcely be called manufactures, you will find that we exported of our manufactured goods from Canada less by \$1,000,000 than we did in 1878 before the National Policy was inaugurated. I call the attention of the hon. Finance Minister to this as a signal instance of the failure of the National Policy, in so increasing our Canadian manufactures, and in producing them so cheaply that we could take them into the markets of the world and undersell foreign manufacturers. Then we were told, that the effect of the National Policy would be to revive the industries of the country. Let us look at one or two of these industries that were to be particularly benefitted. We were told it was going to materially improve the mining industry of the country. Take the Province of Nova Scotia, and what do we find? In 1878 Nova Scotia exported of the produce of her mines to the extent of \$470,729, and in 1880, only to the value of \$458,853, shewing a decline. In New Brunswick there was a slight increase. In British Columbia there was a decrease of about \$90,000. In Ontario there was an increase; but will the hon. gentleman claim that as due to the National Policy? Was it not due to the fact that large quantities of our Canadian ore was taken out at Madoc and elsewhere and not manufactured in Canada, but sent to Cleveland and Buffalo to be smelted? On every page of our trade and manufacturing returns you will find that the National Policy has not fostered the manufacturing industry. The exports of Quebec manufactures amounted in 1880 to \$1,272,405 against \$1,689,720 in 1878, or a reduction of nearly half a million of dollars. Nova Scotia, in 1878, exported manufactured goods to the extent of \$556,537, and in 1880, \$401,032, a decrease of \$150,000. New Brunswick exported in 1878, \$181,211 worth of manufactures, and in 1880, \$311,470 worth, a large decrease. The decline on the whole amount, is about \$1,000,000. With regard to the fisheries we find a similar result. New Brunswick, for instance, in 1878, exported \$800,000 of the

products of the sea, and in 1880, \$631,000 worth. The exports from Prince Edward Island, in 1880, amounted to \$349,787, and in 1880 to \$293,913. Those facts prove the utter helplessness of the National Policy to fulfil the purpose for which it was intended. One of the other great boons that the National Policy was to confer on Canada was that not only would it revive our industries, but it would give us a home market for the produce of our farmers. This was a particularly strong argument used in the rural districts. The farmers were told that they exported so many bushels of wheat, so many bushels of oats and barley, so much butter and cheese, so much of the small farm produce. Place us in power, said these great men, the Liberal-Conservatives, and all this produce will find a ready market at home. The hon. Minister of Railways said at London during the campaign of 1878: "Gentlemen you have to send your produce to Liverpool. Who pays the cost of transit? The producer. Put us in power and we will build up the manufacturing industries—create consequently a home market where you will get better prices for your produce than you now do." Has the National Policy benefitted us in this respect? In 1878 we exported 7,267,000 bushels of barley, and in 1880, 7,239,000; in 1878 we exported 2,340,000 bushels of oats, and in 1880, 4,717,000. Instead, therefore, of getting a home market it would seem that we had to find a foreign market for twice as much produce in 1880 as was required in 1878. We exported about 1,500,000 bushels of peas, about 500,000 more bushels of wheat, about 70,000 more bushels of flour; and, following throughout the whole of the agricultural products of this country, we find we had to export in 1880 about \$4,000,000 worth more of our agricultural products than in 1878. If a home market was provided as promised, those exports would not take place. That, at least, was the reasoning of hon. gentlemen opposite and their line of argument, adopted, to prevail upon the agriculturists of this country to support their policy, and which carried them into power. I use them to-day in the light of these facts from the trade and navigation returns. Do they not see a failure of this policy to provide a home market for the produce of the farmer? In 1879 we exported 14,179 horses, and in 1880, 21,393. The home market was not, then, sufficient as regards this item. In 1878 we had to find a foreign market for 29,925 head of cattle. Yet the farmers were told that, with the National Policy in force, a home market for them would be found. In 1880 we exported 54,944 horned cattle. In 1878 we exported 242,989 sheep, and in 1880, 398,746. In 1878, poultry, \$67,448 worth, and in 1880, \$141,034 worth; and of articles for which a home market was to be particularly provided, such as butter, we exported largely: butter, in 1878, 13,006,628 lbs.; in 1880, 18,535,362 lbs.; of cheese, 1878, 38,054,294 lbs., and in 1880, 40,368,678 lbs.; meats, 13,380,176 lbs., in 1878, and in 1880, 12,983,721 lbs. So in this respect, whether you take farm products, animals and their products, the products of the dairy, or anything that comes under the category of agricultural products, the National Policy has proved a failure. It fails to provide a home market, fails to get better prices—at least the Finance Minister admitted, though with some hesitancy, that he supposed the farmers got a better price for wheat at certain seasons, but he doubted whether the Tariff raised the price generally. He said he supposed the farmers got a better price for their oats, perhaps two or three cents a bushel, but the consumers paid ten cents per barrel more for their flour. That admission, taken with the facts I have cited, is all that is necessary to prove the utter failure of the policy of hon. gentlemen opposite to provide a home market for the farmers, such as they promised in 1878. There is another very important item which I must refer to, on which a great deal has been said—I refer to wool. We were told, for instance, that there was a duty of 12½ cents on Canadian wool shipped to the United States, and it was argued by the supporters of the present Govern-

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ment, that if the Conservative party obtained power, that would be regulated; the argument being put in such a form as to lead the farmer to suppose he would get an increased price, by 12½ cents, on his wool. But what do we find? In 1878, we imported 6,230,084 lbs. of American wool; that was the competition the Canadian farmer had to contend against as compared with the foreign producer, and that competition was not reduced in 1880, but was increased. In 1880 we imported 7,870,118 lbs., the competition in this respect being against the Canadian farmer. Why, if the Finance Minister designed to keep the Canadian market for wool for the Canadian farmer, did he not put such a duty on foreign wool as to compel our manufacturers to consume all the Canadian wool? In a certain form, last Session, he professed to put three cents a pound on certain wool coming into the country, but he took good care to impose it on wools not produced in the country. I told him then he would not reap a single farthing of income from that duty, and he did not. So that duty is a delusion and a snare, calculated to mislead, though probably imposed with an honest intention. In 1878 we had to find a market for 2,445,893 lbs. of Canadian wool, and hon. gentlemen opposite all said that was a great calamity, and that the wool should be consumed by our own manufacturers. Put us into power, they said, and we shall find a home market for it. Well, they got into power, and the Canadian farmers who restored them to office had to find, in 1880, a foreign market for 3,619,181 lbs. of wool, or about 50 per cent. more than in 1878. They were told, also, that they would get a better price for their wool than in 1878, when no duty was imposed. But in 1878 the farmers sold wool, when no National Policy existed, for 29½ cents per lb.; but in 1880, there was a great reduction, the farmer having to accept a trifle less than 25 cents. Could anything prove more conclusively that the Government policy in this particular, at least, has been a lamentable failure? The Finance Minister told us in his Budget Speech of 1879 that he would so arrange the Tariff as to assist, very materially, the coal industry of the country. I was curious, therefore, to inquire as to the accuracy of his calculation in this respect. He said on that occasion:

"In dealing with this matter, the Government had to consider what, in their judgment, would give barely the market of the Dominion to the coal deposits of Nova Scotia, because they are principally there. We know that, upon this subject, there has been some conflict of opinion; but the judgment of the Government is that, while the average import of coal into the Dominion of Canada during the last few years has been from 800,000 or 900,000 tons, and while the anthracite coal will continue to be largely imported, the Nova Scotia coal will take the place of a part of it. In the estimates of the Government, out of the 800,000 or 900,000 tons now imported, probably there will still be 350,000 tons of anthracite, and perhaps 150,000 tons of bituminous still imported, giving to the Nova Scotia coal the balance of 400,000 tons, with, of course, an additional output, if, as we expect, our policy is successful, in consequence of an increased demand for coal to supply the growing manufactures of the country."

The calculation of the hon. gentleman was that the imports of coal would be reduced by 400,000 tons, and that, by the operation of the duty of 50 cents a ton, Nova Scotia coal would take the place of the foreign to that extent. What are the facts? We imported, in 1878, 894,856 tons, and in 1880, 977,493; so that the import of coal has not been reduced by the Tariff of the hon. gentleman. I fail to find where the United States coal has driven a single ton of foreign coal from the Canadian market. Let us apply this all round and see the results. I take, for instance, Ontario first: it imported, in 1878, 593,725 tons, and in 1880, 667,164 tons, a very large increase. In 1878, Quebec imported 256,752 tons, and in 1880, 261,416, an increase also. Nova Scotia herself imported 10,592 tons in 1878, and 12,519 in 1880, so that the Tariff does not even keep foreign coal out of Nova Scotia. Now, the hon. gentleman will say that the Tariff has increased the exports of coal from Nova Scotia—that it has enabled the producers of that Province

to dispose of a great quantity of their home production to foreign markets. But the facts do not justify such a position. In 1878 Nova Scotia exported 140,210 tons of coal, while under the Tariff of hon. gentlemen opposite she exported in 1880 only 132,796 tons. If the Tariff was to benefit anybody, or be of service to any part of the Dominion, it surely would have done something for Nova Scotia; while the fact is that Nova Scotia imported more coal last year than in 1878, and exported less, and I say that no more satisfactory proof of the failure of the Tariff could be found anywhere. The only increase which has taken place on the exports of coal from the Dominion was from the Province of British Columbia, and I do not suppose that the hon. gentleman will claim that that increase was due to the National Policy. Take the item of salt. I remember how the member for North Huron (Mr. Farrow) waxed eloquent on this subject, how strongly he urged that a duty should be placed on salt so that Canadians might have their own market; and I am informed that his agitation of that subject materially affected his election. In 1878 we exported 789,599 bushels of Canadian salt, and in 1880 we exported only 492,467, or only about one-half of that exported before the National Policy was put into operation, and in addition to that our imports have largely increased. This Tariff was to give Canada for the Canadians, and give us our home market; but we find that while in 1878 we imported a little over 3,000,000 bushels of salt, in 1880 we imported 3,793,600 bushels. But there was one industry which those hon. gentlemen took especially under their charge. The Finance Minister and the Minister of Railways claimed that of all the industries in the country the shipping industry was the one which should be carefully protected, and we would naturally expect that under the policy they inaugurated the shipping industry at least would be materially benefitted. But such is not the case. I find that Quebec in 1878 built 14 ships, while in 1880 she built only 5. Nova Scotia in 1878 built 47 ships, while in 1880 she built only 26. New Brunswick, 12 in 1878, and 10 in 1880. British Columbia, 1 in 1878, and none in 1880. Prince Edward Island, 36 in 1878, and only 17 in 1880. Let us take the results by the tonnage. The tonnage of the shipping built in Quebec, in 1878, was 13,911 tons; in 1880, 3,563. Nova Scotia, 17,536; in 1880, 2,555. New Brunswick, 6,034 in 1878, and 3,281 in 1880. British Columbia, 799 in 1878, while in 1880 the industry had utterly perished in that Province. Prince Edward Island built 8,049 tons in 1878, and 5,098 tons in 1880. The total value of the shipping built in Canada in 1878 was \$1,577,244, and in 1880 it was only \$464,327, or a trifle over one-fourth. While I shall not go into the details of some other matters which I had intended to offer for the consideration of hon. gentlemen opposite, there is one particular point brought out in the financial statement of the Finance Minister to which I wish to refer. The hon. gentleman proposes to bonus a line of steamers for the purpose of developing the trade with France. Now Sir, I think the system of bonuses which is about to be inaugurated by the hon. gentlemen opposite, is an unmixed evil, though perhaps a necessary concomitant of the wrong and obnoxious fiscal policy which they have introduced. If we take the example of other countries which have largely developed their trade, we will find that they resorted to no such system. Hon. gentlemen opposite cannot point to a single instance in which the British Government bonused a line of steamers to develop a trade; but, on the contrary, the policy of that country has been to allow trade to follow its natural channels. But what has the hon. gentleman done? He has fixed a tariff of 41 per cent. on the goods which we import from France, and then, in order to revive the trade which he has destroyed by his enormous Tariff, he offers a bonus to a line of steamers to ply

between France and the Dominion. It seems to me, that the rational course for the hon. gentleman to pursue—if he would accept the advice of so humble a member of the Opposition as myself—would be to reduce the duties and thus offer inducements to the people of France to send their goods to this country, which are now shut out by an almost prohibitory tariff. The whole trade of France with Canada is not a very large item; it only amounts to a trifle over two millions. Our exports to that country last year were only \$812,829; the imports at that rate would be a trifle over a million—a total of \$1,928,075—or in other words, about the one hundred and fiftieth part of the entire trade of Canada. Now, look at the absurdity of the proposition made by the hon. gentleman to tax the people of this country by \$50,000 a year for a trade of such small dimensions as that, when, on the other hand, he shuts out that trade by a prohibitory tariff of 41 per cent. We have heard a great deal about this trade with France. I think we sent Sir A. T. Galt on an expedition to France and Spain for the purpose of cultivating close commercial relations with these two countries. It was said that he would be able to negotiate such a treaty with France as would enable us to send our shipping to the ports of that country upon the same terms as that of other nations; but we heard nothing more about it until the Budget came down, and then it was in the shape of a proposition to form a line of steamers to the tune of \$50,000 a year. Is this the result of the travels of Sir A. T. Galt and his private secretary, Mr. Barnard, for the purpose of creating better commercial relations with France? But the hon. gentleman intends proceeding further with his system of bonusing, for he intends, he says, to grant a subsidy to a line of steamers for the purpose of developing a special line of industry in his own Province—that is, the cattle trade. Now, speaking for my friends in Ontario, I am free to say that any advance made out of the revenues of this country, that is fair to our Province, for the purpose of developing any special industries of his Province, would be heartily supported. However, there is something invidious in bonusing a line of steamers to run alternately from St. John and Halifax to Liverpool for the special purpose of fostering the cattle trade of the Maritime Provinces. I fear I may be charged with speaking from a sectional standpoint, but is it fair to the great cattle industry of the Province of Ontario that they should have to send their cattle to Quebec and pay the regular freight to Liverpool, while they are met in St. John and Halifax by a line of steamers heavily bonused, and consequently giving lower freights to those who send their cattle by that line? From the city of London, near my constituency, we have to send cattle to Quebec, a distance of 633 miles. Supposing cattle were shipped from St. John to Quebec, the distance would be only 588 miles. As it is now, the people of the Province of New Brunswick can ship their cattle from St. John to Quebec and have a shorter distance than we have from London, and we send a large number of cattle from Middlesex without any bonus. Halifax is only 680 miles from Quebec, and Windsor is 753 miles from Quebec, or further than Halifax by 50 miles. Let me ask the Minister of Finance, is he treating this large industry in Ontario fairly in bonusing a line of steamers from St. John and Halifax to Liverpool for the benefit of that industry in the Lower Provinces, without considering for one moment a line of steamers for the benefit of the Ontario farmers? This is another form of the obnoxious Tariff. Injure an industry by certain obnoxious regulations, and then stimulate it on the other hand by a bonus—a sedative and a stimulant alternately in order to preserve an equilibrium. If the hon. gentleman would serve our cattle industry, let him relieve our farmers from the obnoxious duty imposed upon them by this policy. Let him take the duty off American corn

which enters largely into the fattening of our Canadian cattle, and we will not ask any bonus for a line of steamers from the city of Quebec. We are prepared to go to the markets of Europe and compete with all the world for our fair share of the cattle industry. There are two features in the Budget that are exceedingly important. The first is the fact that our national debt is increasing rapidly; and secondly, the standing charges upon the revenue of this country, instead of being judiciously pruned and cut down, are being increased. Hon. gentlemen opposite cheered the Minister of Finance when he said that after expending \$26,500,000 for public purposes he would have \$1,500,000 of a surplus. I am not prepared to cheer such a statement. I believe a deficit is a serious thing politically and financially, but a surplus is not an unmixed good. Instead of applauding the Finance Minister because he has a surplus, the honorable gentleman should look upon that as a serious matter for their party. When they had a surplus from 1867 to 1873 they were led on in a career of extravagance by which heavy burdens were imposed upon this country, and large public works undertaken which are not paying running expenses. When the late Government found there was a deficit they reduced the expenditure, but now we are under a new regime, and immediately that we have a surplus, instead of reducing the taxation, what are honorable gentlemen opposite doing? Carried away with the infatuation of a bouyant exchequer, they are rushing again into increase expenditure. Mark you, it is an easy thing to increase the expenditure, but it is a difficult thing to reduce it, as hon. gentlemen on both sides of this House know well. Then let me mention another serious matter, and that is, that while we have a tariff, as honorable gentlemen opposite say, calculated to foster the industries of this country, they should be careful not to attach themselves too strongly to their tariff, because it is a serious imposition upon the laboring classes of this community. A tariff that taxes our fuel and our food, that takes 20 per cent. out of the earnings of every working man of the Dominion of Canada, is a serious tax upon the productive industry of this country. It is not such a tariff as a young country like Canada requires. Hon. gentlemen need not point to the British Colonies in New South Wales as a parallel instance of a heavily burdened community. The only basis upon which a comparison can be made between Canada and any other country, is the ability of our people to meet the demands which the Tariff may make upon them. To tell every citizen of this country that of all his earnings the Government must have \$5 to carry on the expenditure of this country, to tell an average family of five persons that the Government must have \$25 of their earnings, is a serious matter for the laboring man, and may yet become a serious matter for hon. gentleman opposite themselves. We undertook this tariff in emulation of American institutions; why we undertook it is more than I can understand. Now the first conception of the tariff was as a means for securing political advantage; and when that political advantage was secured we copied the American tariff. I, as a member of the liberal party, was not satisfied with that tariff when it was first introduced, and I am not satisfied with it yet. I admit readily that under the present circumstances the tariff has succeeded in producing revenue. The revenue required is so great that the tariff must be a very high one, but the tariff this country requires is one that, while producing the necessary revenue, does not tax the necessaries of life, and does not compel the consumer of dutiable goods to pay more than a proper margin of profit for the same as manufactured in our own country. One thing is certain, hon. gentlemen opposite will not be able, at the present rate of expenditure, to reduce this tariff, nor can the Liberal party reduce it to any great extent from the simple fact that the necessities of the country are

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so great. All I can see that can be done now in regulating the fiscal policy of this country, is such a judicious re-adjustment of the Tariff as will give us the necessary revenue without unduly pressing upon the laboring classes of the community. It is obvious to every impartial mind that those who can pay taxes must pay taxes in Canada for all time to come. It is apparent to the most superficial observer, that with our fast increasing debt and expenditure, we must be heavily burdened, and that instead of Canada being a cheap country to live in, as it once was, Canada will become a dear country to live in; and instead of our being able to show the English immigrant that he can live here more cheaply and enjoy more immunities from taxation than in his own land, we shall have to confess that he will have to pay more taxes, and enjoy fewer privileges. This must weaken our advantages in opening up this country and developing its resources. I can only say that I trust hon. gentlemen opposite will pause in their career of increasing expenditure, and that they will as soon as possible relieve the industrial classes of this country from every unnecessary duty and from all charges that are not indispensably necessary in the interests of the country.

Mr. WHITE (Cardwell). I do not propose, Mr. Speaker, to follow the hon. gentleman in his introductory remarks. I am quite satisfied that when he comes to read the report of that portion of his speech which had the hon. member for Niagara as its subject, he will himself regret very much what he has said. But, Sir, on the general question which the hon. gentleman has discussed, I desire to offer a few remarks. I agree with the hon. gentleman, that a national debt is not a small matter, and that we ought not to underestimate its importance; but I think hon. gentlemen in this House, and the public outside will agree with me when I say that a national debt in itself is a less evil than the perpetual disposition on the part of hon. gentlemen opposite to exaggerate that debt, and to make unfair comparisons of it with the debts of other countries. The hon. gentleman has told us—evidently with the object of exciting the alarm of the people of this country—that the national debt has doubled since Confederation. He has told us that the debt to-day is \$156,000,000, whereas at the time of the Confederation of the Provinces it was only \$75,000,000. Well, Sir, if the hon. gentleman had stated to this House and the country that we have assets to show for that increase; assets which are worth to our country directly and indirectly far more than the increase of the debt, he would at least have been doing an act of simple justice to his country. What is the fact? Of the increase in the debt during that time nearly \$45,000,000 is due to the Intercolonial Railway. Apart from the question as to whether that railway is making any return to us for the capital invested in it, apart also from the question as to whether it is altogether paying its running expenses, I venture to say that there is no one who fairly appreciates the interests of this country who will not admit that in the development of the country, in the improvement of the districts through which the railway passes, in the advancement of the trade of the country, and in all those incidental advantages which an important line of communication of that kind gives to the country, that expenditure has well repaid the people of Canada. Of that increase, about \$17,000,000 was expended on the Pacific Railway. Hon. gentlemen opposite are at least responsible for that expenditure. It was made in accordance with their policy, and not in accordance particularly with the policy of gentlemen on this side of the House. It was an expenditure absolutely essential to the development of this country, and which, in its effects on the interests of this country, will return us infinitely more than the mere interest upon that \$17,000,000. Then upwards of

\$13,000,000 or \$14,000,000 of that increase was simply a transference of the burden, and I am not going to discuss that question, on which I believe there is some difference of opinion among gentlemen on the other side of the House—from the Province to the Dominion, and is, therefore, so far as the people are concerned, not an increase of burden at all, but simply a transference from one account to another account. There is another portion of the debt which, I admit, is a serious portion, and that is about \$7,000,000 of deficits, which hon. gentlemen opposite had while in office. That is an addition to the debt which we have reason deeply to regret. When the debt of this country goes on increasing in consequence of the expenditure being in excess of the revenue year after year, then I think everyone will admit that we are on the downward path, and that for the extent of the increase of the debt caused by that fact, we have serious reason for alarm. But happily the day for that kind of debt is past, and instead of having eras of deficit, we are entering, I trust, on eras of substantial surpluses. What is the record of the two parties in that respect? About \$10,000,000 of revenue in excess of the expenditure was expended on public works in this country on capital account by the Conservative party when they were in power before. When hon. gentlemen opposite came in, instead of money being expended out of the revenue on capital account, we had year after year a system of deficits, which hon. gentlemen could only justify or explain by declaring that if you took away the sinking fund from the public debt—a payment which we were bound to make to the public creditor out of the public revenues—after all, the deficit was not a very large one. But the hon. gentleman followed a course which I am sorry to see is followed too often by hon. gentlemen who think with him, namely, that of comparing our debt with that of the United States, and telling us of the great burden that debt was on the people of the United States, suggesting, rather than boldly stating, that the conditions of this country are as bad as those of the United States. Will the hon. gentlemen tell me that a debt expended in works of public improvement, of material development, works calculated to promote the commercial and industrial wealth of the country—is to be compared with a debt caused by war, entailing the destruction of property and not the enhancement of its value, destitution and not prosperity. If this debt of the United States, of which hon. gentlemen are so proud of speaking, had been all incurred in works of material development, as the debt of this country has been incurred, I venture to say the people of the United States, prosperous as they are to-day, would be in a vastly different position from what they are. It is, therefore, no fair statement of the case to compare a debt for every dollar of which we have material assets to show, with a debt incurred, as the United States debt unfortunately was, in consequence of a great war which lasted four years in that country. But the hon. gentleman might also have told this House and the country that although the bald statement that the debt to-day is \$156,000,000, whereas at Confederation it was only about \$75,000,000, may be true, it does not represent fairly the liability of the people of this country. He should at least have told them that whereas in 1867 we were paying an average interest of 5.55 per cent., to-day we are paying an average interest of 4.15 per cent., or one-tenth per cent. less than we were paying then, a very material fact in estimating the burden of our debt, which is the question we are now dealing with. The hon. gentleman, not satisfied with telling us that our debt is so serious a matter as to be a cause of great alarm to the people, and a great burden on them, told us that the taxes imposed were very serious, and he drew a picture of a head of a family, a laboring man earning his dollar a day, or \$320 a year, who as he sits down to his daily

meal contemplates the fact that 20 per cent. of his earnings goes into the public treasury, or \$60 a year. Did the honorable gentleman stop to consider what that would amount to in the aggregate? \$300 a year is not certainly the average income of families in this country. Let us be thankful for that at any rate. But if it were, what would the tax amount to? It is not too much to say that there are 800,000 families in Canada, so that we should have a contribution on Customs alone, for it was to the Customs duties the hon. member referred, of \$48,000,000 to the public Treasury, in order to meet the statement of the hon. gentleman, which was not made for a patriotic motive, for he told us in his concluding words that whoever was in office it would be almost impossible to reduce materially the taxation, and, therefore, he could not hold out any hope to this unfortunate head of a family earning \$300 a year, that he would be able to get off with less payment if the hon. gentlemen opposite were on this side of the House. The statement was simply made to alarm every man who thinks of Canada as a place for settlement, and who, when he came to think of what would be his position in this new country might turn up the speech of the hon. member for West Middlesex and learn that after all when he came here 20 per cent. of his earnings would have to go into the public Treasury. He would naturally seek some other country where he believed so large a portion of his earnings would not be absorbed in taxes. When the hon. gentlemen dealt with the question of expenditure he told us that under a Conservative administration the expenditure in this country had increased from 1867 to 1874 not less than \$9,000,000. Well, I am not going to analyse that statement as to the precise figures, let us say that it is \$9,000,000. Was that a fair statement for the hon. gentleman to make? Did he not know that during those seven years we annexed Prince Edward Island, and purchased the North-West territory, and had to undertake the government of them; that we got in British Columbia and had to undertake the government of that province; that we increased the subsidies to the different Provinces and assumed debts which before were paid by the different Provinces. All of these are a fair and reasonable justification for that increase of debt, and if the hon. gentleman wants an authority to affirm the statement I have just made, I will refer him to the circular issued in England by the late Minister of Finance, in which he says, that every increase of expenditure was an increase made for the development of the country, in works of general utility, which would give an adequate return for the expenditure in the enhanced prosperity they would create. The hon. gentleman entered into a comparison of the expenditure of the late Government and the expenditure of this. I do not propose to deal at length with that question, because as the Estimates go through Committee we shall have explanations on every item, and there will be an abundant opportunity to discuss the principle or the policy of any increase that may have been made, or any charges that may have been imposed on the public Treasury. But what is the fact. In the first year in which hon. gentlemen opposite had complete control of the affairs of the country, that of 1874-5, they managed to spend for civil government \$909,265.73. Last year the present extravagant Government, with all the accumulations of expenditure with which they have been charged, managed to get on with but \$898,605.16. Then I find that the ordinary expenditure in 1874-5 was \$7,868,696; in 1875-6 it was \$8,569,774, and last year, with the enormous increase made by this extravagant Government, amounted to \$6,963,852. That was the position on the general question of ordinary expenditure. On the ordinary expenditure of charges on revenue, I find, and I take these figures from the same statement which the hon. gentleman has quoted, that in 1875-6 they amounted to \$4,796,238, in which was not included

the Intercolonial Railway expenditure. In 1876-7 the charges on revenue amounted to \$5,194,896; in 1877-8 they amounted to \$5,301,124; last year this extravagant Government expended only \$5,227,113. With regard to Public Works I find that the expenditure in connection with their management in 1876-7 amounted to \$2,352,832; in 1877-8 to \$2,471,437; and in 1880 to \$2,329,626. That was the position under the extravagant Government for whose advantage lectures have been given by hon. gentlemen opposite in relation to the importance of economy. The hon. gentleman then came down to some details. He referred first to our Militia. He told us that the United States managed to get on with 25,000 men, and it was absurd we should have so large a Militia as we have. Did the hon. gentleman not know that those 25,000 men were 25,000 regular soldiers in the regular pay of the United States. Many of them, unfortunately for themselves and their country, are engaged in the western territory quelling Indian troubles and other difficulties; while we, in Canada, have of the same class of men only "A" and "B" Batteries, containing 240 men. Why did the hon. gentleman make such a statement to go to the country and the people outside of the country, and which would lead intending settlers to believe that we actually kept up a larger army than the great nation to the south of us. Why, Sir, he knows well enough, and in frankness ought to have stated it, that the 25,000 men of whom he speaks were 25,000 actual soldiers enlisted regularly in the service of the United States. But the hon. gentleman tells us he is very much opposed to the manner in which the Militia expenditure takes place. I am not sure I should not agree with him on some points, but surely when he comes to deal with this matter of the enormous proportion of the expenditure on the staff, he might at least have remembered that he and his friends are responsible for that kind of thing. Who was it that first brought in the system of brigade majors in this country. It is a remarkable fact, it was the Liberal Government of the late Sandfield Macdonald in 1863. Curiously enough they were appointed by that Government after the previous Conservative Government had been defeated on a Militia Bill proposing a different system. To whom are we indebted for the major-general? To the Government of the member for Lambton, before whose time we never heard of a major-general, with his aide-de-camp, to whom reference was made by the hon. gentleman (Mr. Ross), as if, in this connection, some crime had been committed by hon. gentlemen on the Ministerial side. Then the whole system of an extensive staff—and I have always thought that the expenditure as compared with the expenditure on the volunteers has been too high—which the hon. gentlemen condemned, his own friends brought into being, and he himself supported them in that policy. One of the points made by the hon. gentleman was that there is an increase in the Estimates. Let us see what it is. I find there is a decrease in the salaries of the military branch, the district staff, of \$1,700, and a decrease for the brigade majors salaries, transport, &c., \$3,000; decrease on military schools and drill instructors in colleges of \$3,000; decrease in the pay and maintenance of the guard at Rideau Hall, \$5,000; decrease in the matter of district deputy adjutant-generals, \$1,200, and as to allowances to them \$500. These are reductions all in the direction in which the hon. gentleman says they should take place. I find that the only substantial increase in connection with the Militia estimate is for drill pay and all incidental expenses connected with the drill and training of the militia, nearly \$75,000. So that the policy of this Government is precisely in the direction which the hon. gentlemen opposite has been advocating. They proposed to give more money for the drill of the men, more encouragement to the men who give their time in order to fit themselves, if occasion should require, for the

Mr. WHITE (Cardwell).

service of their country, and less to the staff which he has been condemning. Perhaps at some future time, and I hope it is not very remote, we may be able still further to reduce the staff. I am bound to confess my agreement with the hon. gentleman that a major-general is altogether an unnecessary appendage to our Militia staff. No doubt if war broke out, the Militia of the country must be under an Imperial officer. But I do not think this office promotes the interests of the Militia, or adds to the good feeling of that body. I am speaking of the great mass of the Militia, not of the few officers who act as satellites round the major-general—in regard to whom I must say that I believe that they do not wish an Imperial officer with the grand sounding title of a major-general, with his aide-de-camp, who know nothing of the genius of the people of the country, or of the peculiarity of our Militia system, and who are apt to consider that the country is conferring a favor upon the Militia by permitting them to wear a uniform, instead of the Militia conferring a favor upon the country by wearing a uniform. Then the hon. gentleman dealt with the question of the Indians and their supplies. There is no doubt this is a very serious question for Canada. It is a very serious matter to have, in a territory so extensive and difficult of access as it has been in the past, roaming bands of Indians who may give trouble at any time. In the old times, when the North-West Territories were under the Hudson's Bay Company, periodical famine and difficulties were wont to occur. The policy of the Hudson's Bay Company, an absolute monopoly, with complete control of the fur trade, was to feed the Indians, and take from them security that, when the time for bringing in the furs came, they should be paid for their relief. The Government in some respects unfortunately have to undertake a similar work to-day. Now the Hudson's Bay Company have no longer a monopoly of the fur trade, free-traders being all over the country. In every place, when the treaty money is paid to the Indians—as I had an opportunity of seeing a couple of years ago when I was in the North-West—you have free-traders selling and dealing with the Indians in competition with the Hudson's Bay Company in regard to furs and other things. No longer does the system of tutelage between the Indians and the Hudson's Bay Company prevail. The Government having taken possession of the Hudson's Bay Company's territory have to see that no serious danger of any outbreak among the Indians exists. A single shot in anger by one of the large bands of Indians in that region would be a much more serious matter for the country than the feeding of a tribe for the whole winter, and that is the alternative we have to consider. It is a question of fight or feed, and it is very much cheaper to feed than to fight. But was it fair for the hon. gentleman to quote the prices of certain articles supplied the Indians of the North-West—of wheat for instance—to tell us the Government paid \$2.50 per bushel for it when in the North-West it could be had for 60 cents? Does he seriously mean that wheat could be got in the North-West proper for 60 cents? The year before last, for instance, when wheat was 70 cents at Winnipeg, it was selling at \$2 to \$2.50 at Prince Albert, and \$3 at Edmonton, 400 miles further west, and in this western country it is cheaper to give this high price to the farmers and settlers going into it, and who have been greatly advantaged by the market created by the purchase of these supplies, as an incident of their position. It is better to pay such prices than to buy the grain at 60 cents at Winnipeg and take it up by the Saskatchewan, or in Red River carts across the plains. So it is unfair in discussing this question to leave the impression that because wheat is quoted at Winnipeg at 70 cents, the Government have been paying \$1.90 more for it for the Indians than it could be obtained for, because people are apt to confound Winnipeg with the whole North-West region. Then the hon. gentleman referred to the Post

Office-expenditure, saying there was an enormous increase in the salaries of the Postmasters. Does he not know there has been an entire change in the method of transacting business? He had an opportunity of knowing it recently from a discussion in another place. Formerly the Postmaster deducted his fees, and the balance was transmitted, and was all that appeared in the accounts. Now he sends in a statement of his whole receipts, and the fees are charged as salaries.

Sir RICHARD J. CARTWRIGHT. The expenses would be two and a half millions, as you will see by the Auditor-General's Report.

Mr. WHITE. I do not quite catch the hon. gentleman's remark.

Sir RICHARD J. CARTWRIGHT. That has nothing to do with the actual expenditure estimated for. The point to which the hon. gentleman refers is fully explained in the Auditor-General's Report. He has nothing in his report of the expenditure he has heretofore defrayed out of receipts, and as I understand he repaid the Postmasters and they continued it. It certainly is no part of the Estimates now brought down.

Mr. WHITE. It increases the estimate certainly. It goes into the Public Accounts as a payment, whereas formerly it was not in the form of a payment. Under the present system it is charged as a salary and goes under the general heading of salaries.

Sir LEONARD TILLEY. Certainly.

Mr. MILLS. The hon. Minister knows better than that.

Mr. WHITE. The hon. gentleman need not be insolent. I do not know better than that.

Mr. MILLS. The hon. gentleman mistakes me. I said the hon. Minister of Finance knew better.

Mr. WHITE. Then you were insolent to the Minister; that is all.

Sir LEONARD TILLEY. What I said was perfectly correct.

Mr. WHITE. The hon. gentleman should remember that during the last year there has been a very large number of new post-offices opened all through the North West Territory which involved an enormously increased expenditure, in comparison with the receipts. It is an essential feature of the settlement of that country if we are to settle it—that postal facilities shall be supplied to every part of the North-West, and we must incur the liability connected with these increased facilities. We are at this moment, with regard to that country, at that period of its history when our expenditures relating to our receipts are at the greatest; every year hereafter the balance will be larger in our favor, but in the meantime the fact is established that that large territory had to be opened for postal communication, and as a consequence a large increased expenditure must take place. Then the hon. gentleman told us, with regard to Railways, that the contention of the Minister of Railways, that he had reduced the working expenses, was not justified by the facts; and he told us that he arrived at that conclusion by taking the amount to the credit of stores in 1878 as compared with what it is to-day. The hon. gentleman ought to know that a large number of these things were practically lying idle, and that so far as the working of the railway was concerned, those things never entered into it as an element at all, until they were asked for by the railway and used in connection with the railway. The mere fact that in the storehouses there was a certain quantity of stores, in no way added to the ordinary annual charge in connection with the expenses of the railway. I will read a statement from an authority which hon. gentlemen will admit is certainly not partial to our side of the House, though I

should be sorry to say it was not impartial. I mean the report of the Auditor-General. The income from the Intercolonial Railway, including the Prince Edward Island and Windsor Branch, in 1879, was \$1,409,955.60; working expenses, \$2,233,496; excess of expenses in that year, \$813,540.74. In 1880, the earnings of the Intercolonial Railway were \$1,506,298.45; Prince Edward Island Railway, \$113,851.11; Canada Pacific Railway, \$104,975.69; Windsor Branch \$141,197. The working expenses were, for the Intercolonial, \$1,603,429; Prince Edward Island Railway, \$164,640; making an excess of expenses over earnings in 1880 on the Intercolonial and Prince Edward Island Railways, the other two not being included in the statement of 1879, of \$147,920, as against \$813,540 in 1879.

Mr. ROSS. That does not touch the items to which I referred.

Mr. WHITE. I have already dealt with them. I do not know that it is necessary to refer further to the remarks of the hon. gentleman with reference to the finances of the Dominion. As I have already stated, when we are in Committee of the Whole, and when the Estimates come to be discussed, I have no doubt that the Finance Minister and the other Ministers who have charge of the various Departments for which the estimates are taken, will be able to furnish us with abundant justification for the items of those estimates. In some respects they do show an increase, and, in the very nature of things, that will probably continue to be the case in this country. If those increases have relation to public works which will improve the country; if they relate to a policy or to enterprises which are calculated to develop the interests of the country, then, as a matter of fact, instead of being expenditures in the sense of burdens upon the people, they are expenditures in the sense of a wise and prudent provision for the advancement of the best interests of the country.

Mr. ROSS (Middlesex). Will the hon. gentleman allow me, before he passes to another point, to read a short extract from the report of the Auditor-General regarding the Post Office expenditure?

"Total expenditure for 1880, \$2,286,611.14, of which \$1,518,271.05 was paid by cheques against letters of credit; the remaining \$468,340.09 represents the salaries and allowances, etc., of the country postmasters, which are deducted by them from their collections—the net amount only being transmitted.

"H. A. WICKSTEED,  
"Accountant."

Mr. WHITE. Precisely. I now propose to refer to some arguments which the hon. gentleman used with reference to the National Policy. First let me call attention to the fact that we have, happily for us and the country, a very different tune from the hon. gentleman opposite. Last year the whole burden of their song was that there was no increase in the prosperity of the country, that this National Policy had even retarded that prosperity, that while there was a great advance, a great reaction—

Sir RICHARD J. CARTWRIGHT. True still.

Mr. WHITE. I am glad to hear that hon. gentleman say "true still;" I hope his party will say true still; but I tell them that every word they utter in the sense indicating a determination to go back, or, as the hon. member for West Durham said the other night, to revert to the policy that formerly prevailed, is at any rate a word that we will not quarrel with on this side of the House. Last year they told us this policy was retarding the prosperity of the country, that we were not advancing as we ought to advance, and as, if their policy were in force, we would advance. This year they are compelled to admit that we are more prosperous; they are compelled to admit that there has been an advance in the well-being

of the country. It is true they attribute it to a number of causes other than the National Policy, but the fact at any rate is admitted, and let us be thankful to them for it. It is nearly three years since we have been able to get from hon. gentlemen opposite an admission that this country was worth living in at all. But the hon. gentlemen have told us that this National Policy has not been a success, because on certain articles manufactured the export has decreased. We had a very elaborate statement the other day from the hon. member for South Brant (Mr. Paterson), to the effect that on 35 articles of manufacture in Canada the export had decreased no less than \$1,485,025. Well, Sir, I have taken some little trouble to examine into those particular items of export. I admit at once that there is some difficulty in arriving at anything like a comparison. I wish most sincerely that some one could devise some means by which the Trade Returns could be so classified that it would be possible to make exact comparisons in relation to any article manufactured or exported. However, as to a large number of these articles there is no great difficulty, and I have certain facts which I desire to lay before the House. As to the large decrease of exports, the Finance Minister disposed of about half of it in connection with the export of ships. I do not intend to refer to that at all, as I understood the hon. member for South Brant accepted the explanation of the Finance Minister, regretting only that he had not had an opportunity of hearing it before he made his statement. Then, outside of ships there is still, according to his statement, on these 35 articles, a decrease in exports of \$751,207. Now let me take one or two articles in connection with that. Ready-made clothing was one of the articles to which he referred. Recollect that hon. gentlemen admit that this country is more prosperous than it was, and therefore I presume they will admit that people use as much clothing as they did formerly when the country was not so prosperous. Now, the decrease in the exports of ready-made clothing was to the value of \$16,000, according to the statement of the hon. member for South Brant, and I accept his statement as being correct, without even a suggestion of verifying them from the Trade Returns. But in order to find out what has been the effect of the National Policy upon the clothing trade, the hon. gentleman should have stated that the Canadian clothiers, by the reduction of imports, have secured an enormous local market for their productions, which they had not before. In 1878, the imports of ready-made clothing into Canada were \$898,013, while in 1880 the imports had decreased to \$470,322, a difference of \$427,691. Yet the hon. gentleman tells us that because the export has decreased \$16,000 that trade has been ruined by the National Policy. Then, I take another article, that of hats and caps. According to his statement I find that the decrease, though not large, was sufficiently large to justify him in referring to it. He told us that the exports in 1878 were \$572, and in 1880 \$400, making a decrease of \$172; and thereupon he drew the conclusion that our hat and cap trade in Canada had been greatly injured by the National Policy. If he had looked at the imports of that article as well, he would have found that while in 1878 we imported \$719,406, in 1880 we imported \$620,275, or a decrease of \$99,171, against a decrease in the exports of \$172. And yet the National Policy has ruined the hat trade. It may be taken for granted that people have not worn fewer hats, because it is said that the very first people who feel the return of prosperity are the hatters. When times are dull a man takes his old hat to the hatter's and gets it ironed over; but when times are good he buys a new one. We find this, that during last year we imported \$99,171 less of hats and caps than in 1878, and to that extent at any rate the hatters kept the markets of the Dominion of Canada and supplied the local trade. Then, coming from the head to the feet, there was another item to which the hon.

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gentleman referred—the article of boots and shoes. He grew somewhat pathetic over it, as this quotation from his speech will show:

"Then we come to boots and shoes, the item that created so much concern a few years ago, that item of which there was only \$200,000 worth imported, while there was \$17,000,000 worth made in the country during the late Administration—what has been the effect of the tariff introduced by those hon. gentlemen upon that industry? Why, in 1878, after supplying \$17,000,000 or \$20,000,000 worth to our own people, we were able to export to other countries \$236,345 worth. But what have we been able to export during the past year? Only \$163,147 worth, a decrease of \$71,198, a decrease of nearly one-third in that item in 21 months. In two years more, at the same ratio of decrease, that item is wiped out altogether from the list of exports."

Mr. PATERSON, (Brant.) Wiped out as an article of export, having regard to the former part of my argument.

Mr. WHITE. If the hon. gentleman will look at the former part to which I referred, he said: "What has been the effect of the tariff introduced by the hon. gentleman upon that industry?" not upon the export.

Mr. PATERSON. Yes; the whole argument is that.

Mr. WHITE. The whole argument, the hon. gentleman is kind enough to admit, is that the industry has been affected injuriously by the National Policy. Now, what is the fact? The importation of boots and shoes between 1878 and 1880 decreased \$138,442. That difference, at any rate, was supplied by the local manufacturers of boots and shoes of this country.

Mr. PATERSON. Would you give me the official figures.

Mr. WHITE. The imports in 1878 were \$246,295; in 1880, \$107,850; showing a decrease of \$138,442. That, I say, was supplied, at any rate, by the manufacturers of this country. But there is another view of the subject which it is well worth looking at. The hon. gentleman referred to the decline in the exports of leather—sole and upper. In 1878, according to his statement—and I have taken his statements in all matters of exports—the exports of leather, sole and upper, amounted to the value of \$563,221, while in 1880 it was \$403,703, or a decrease of \$159,518. Why should that have been cited as an evidence of injury done to the country? Leather, naturally, is raw material. As leather, until it is manufactured into something, practically it has no value. It is raw material, the raw material, principally, of boots and shoes. I find the increase—because the case is reversed in this matter—in the imports of leather, between 1878 to 1880, was no less than \$208,672. Hon. gentlemen will tell me: "Here are the exports of leather decreasing, and the imports of leather largely increasing, so that the tanning interest is being destroyed by the National Policy." But there is another test that may be applied, and that is the test of hides. Hides, again, are the raw material of the tanner. If there has been a largely increased importation of hides, it is quite clear that we imported them for the purpose of having them tanned in Canada. What do we find? The increase in the importation of hides between those dates amounts to \$315,122. So we have this remarkable fact, an increase of more than half a million dollars worth of hides required mainly for the tanneries, and an increase in the importation of leather, which is required mainly by our boot and shoe makers, of \$209,000, making a total of over \$750,000. Then we have, in addition, a decrease in the exports of leather of \$159,518, which may also be added to the other amounts, showing that it may fairly be estimated that leather to the value of \$1,000,000 was consumed in 1880 by the manufacturers of boots and shoes more than in 1878. This is an argument which cannot be confuted, and, therefore, instead of the decrease in the exports of boots and shoes, in view of the decrease also in the imports, affording ground for regret, it is proof that that industry has been greatly benefited by the National Policy. That is the inference, but there is

no man who knows anything of what is going on who does not know that the facts bear out the inference. At Quebec, Montreal, Toronto, wherever large boot and shoe establishments are found, premises are being enlarged, new buildings are going up, a larger number of men are employed, the proprietors are more hopeful, more prosperous, making more money, and doing more business; everywhere there are indications that this special branch of industry has taken an enormous stride, and that it is chiefly due to the National Policy. There was another item to which the hon. member for South Brant (Mr. Paterson) referred. Of ale, beer, and cider, he found we exported \$13,331 worth less in 1880 than in 1878; but the hon. gentleman should have told the House that we imported \$30,459 less than in 1878; so that those who regard the manufacture of ale, beer and cider as an undertaking to be encouraged will have the assurance that it has not been injured by the National Policy. Another article to which the hon. member for South Brant referred was that of tobacco. He found the decrease in exports for 1880 to be \$35,711; but he should also have told the House that the decreased importations of manufactured tobacco reached \$146,263, and anyone who knows anything of cigar and tobacco factories will admit, and I dare say it is within the hon. gentleman's cognizance, they are more prosperous to-day than in 1878. Taking the thirty-five articles which the hon. gentleman has mentioned, the decrease on which amounted to \$1,485,025, and deducting from them the export of ships, the explanation of which was given by the Finance Minister; deducting leather, respecting which we have abundant proof that the decrease was not matter for regret, but for rejoicing, because the leather was manufactured in Canada, where there was a home market; deducting hemlock bark, which may fairly have been used in tanning the extra half million dollars worth of hides imported; deducting those articles, there was a decrease in the exports of 1880 as compared with 1878 amounting to \$575,622. Yet what do we find? In five articles out of the thirty-five articles—clothing, hats and caps, boots and shoes, ale, beer and cider, and manufactures of tobacco—there is a decrease in importations of \$842,026. So, in those few articles alone, the decrease in the importations is greater than the decrease in the whole exportations by the large sum of \$266,404. I ask whether these facts do not abundantly answer the statement of the hon. member for South Brant (Mr. Paterson) that we have sorely injured this country by the National Policy, because as to certain articles of manufacture the export trade has been decreased. The hon. Minister of Finance, in his statement the other night, made the remark that the decrease in the exports might be a matter of advantage to the country, and hon. gentlemen opposite were disposed to sneer at that statement. The ex-Minister of Finance was especially emphatic in his sneer at that statement. He declared it was one which he could not for a moment understand; but if the hon. gentleman would only look at the matter he would admit this: that up to a certain point, if the manufactures of a country afford ample employment, factories running full time, all the capital invested fully employed, and yet we can find for all the products a market at home, the manufacturer is better off than if he had to send the products abroad. It is only after we have fully supplied the home market that the question of exportation becomes an important question. Then it is a matter of importance to enable the manufacturers to enlarge their sphere of operations, to increase their capital and premise; and in that sense it is a matter of exceedingly great importance. But at the start of manufactures—and we are only practically starting them in this country, and only now getting into a condition for the thorough development of our manufacturing industries—and until we have supplied the home market, the question

of exportation does not enter at all into the question of the prosperity of these manufactures. In England the case is vastly different. There, the manufacturing industries are so fully developed that the home market will not begin to consume what the mills running on full time will supply, and therefore the test is to be found in the value of the exports. But in this country, until our manufactures are in a condition to supply fully our home market, the question of exports does not enter into the calculation.

Mr. PATERSON (Brant). Why do we export any manufactures at all if the home market is not supplied?

Mr. WHITE. If the hon. gentleman cannot answer his own question, I am sorry for it. I am not here to answer conundrums.

Mr. PATERSON. Will you please answer it. If we cannot supply our own market, why do we need to export? That is a conundrum.

Mr. WHITE. One of the troubles of hon. gentlemen opposite is this. One of the things that has got them into their difficulties with the people—and into difficulties with the people they have got—is, that they have been throwing such conundrums as this at the heads of the people. If you can manufacture and sell more cheaply in Canada under a 30 per cent. tariff than you could under a 10 per cent. tariff, what is the use of a 30 per cent. tariff? But the people have been learning by experience that under a 30 per cent. tariff the larger production enables them to sell at a less price than they could under a 10 per cent. tariff, if the article was manufactured outside. There is another question, and only one, to which I desire to refer, and that is a subject which has been discussed so frequently in this House and out of it, that I might almost be pardoned if I left it alone altogether. I refer to the question of the sugar duties, as an illustration of how the people of this country have been burdened by this Tariff. My hon. friend the Finance Minister, in his statement the other day, gave us the average prices of sugar in this country during the last year, and the price in New York, with the duties under the old Tariff and the charge of 35 cents per hundred added, and as a result he found that the price in Canada was about 25 cents a hundred, or one quarter of a cent a pound more on granulated sugar than it would be under the old Tariff, if his mode of calculation was good. In dealing with this question, so far as the price of this sugar is concerned, we are fortunately dealing with a question outside of the realm of speculation altogether, and can come down to a matter of mathematical proof. We had three years' experience without a refinery, when all the granulated sugar consumed in this country had to be imported, chiefly from the United States; and we are thereby enabled to learn, by comparing the prices in gold in bond, which prevailed during those three years in New York, which is the market from which comparisons are taken, with the prices obtained in this country, whether the proposition made by the hon. Finance Minister, regarding this particular industry, is a fair one or not. Now, in 1876, taking the price of sugar in New York, and adding the duty under, what I may call for convenience, the Cartwright Tariff, and the charge of 35 cents, the price should have been in this country \$9.05. I am speaking of the average for the whole year, and that average has been obtained by taking the price on three days in each month, which hon. gentlemen must admit is a fair method. As a matter of fact the average price in Canada during that time was \$9.50—45 cents a hundred, or nearly half a cent, a pound more than it should have been on the principle stated by the hon. Finance Minister. In 1877 the average price, by the same method, should have been \$10.15; the actual average was \$10.66—51 cents a hundred, or over one-half a cent a pound

more than the consumer should have paid. In 1878, under the old Tariff, the average price ought to have been \$8.89, whereas the actual average price was \$9.33, a difference of 44 cents a hundred. The difference between the average price on this method and actual price during those three years, was no less than 46½ cents a hundred, or very nearly one-half a cent a pound. On the same method of calculation we have during the past year been paying one-fourth of a cent a pound more, not one-half; so that instead of our paying more in consequence of this industry being promoted in Canada, we have been paying one-quarter of a cent less, and that method of calculation, which cannot be gainsaid, but is open to enquiry by any hon. gentleman, is certainly as fair, in reference to the three years, when we had no refinery, as to the one year when we had refineries. There is another point with reference to that one-quarter of a cent. With the duty of 30 per cent. instead of 25 per cent. on sugars under No. 14, notwithstanding the advantage which is given to the refiner of a rebate on the duty on packages of direct importations, the duty just about makes up the one-quarter cent more which he has to pay. The percentage of duty paid on packages imported in 1830 was 46.49; on the same packages under the old Tariff it would have been 44.7. The difference amounts to about 2.42 per cent. between the actual payment and the payment under the old Tariff, and that is as nearly as possible the one-quarter cent extra referred to by the hon. Finance Minister. But one cannot look at this matter as a mere question of the price of sugar. It is not a question after all whether the people of this country get their sugar at a little higher or a little lower price in consequence of the establishment of a refinery at Montreal, at Moncton or at Halifax, and I am glad to know that there are going to be refineries in different parts of the country to compete with each other and give the advantages of that industry to different parts of the country; but a question as to the general interests of commerce as affected by this industry in Canada. I had the honor, two years ago, on the floor of this Chamber, of quoting, in relation to this sugar industry, the opinion of a leading free-trader of the United States, a gentleman whose opinions had been quoted very often by hon. gentlemen opposite, the Hon. David A. Wells. He took it out altogether of the ordinary list of articles upon which he deprecated protection; he held it was an article so exceptional in its character, and in the advantages which it offered to the country, that it ought to be dealt with differently, and ought to be protected. Now, what do we find? Take our West India trade. I find by the report of the Montreal Harbor Trust that the imports of sugar into that port in 1878 were 12,289,843 lbs.; in 1879 the imports were 64,375,656 lbs.; and in 1880 they reached 74,952,000 lbs. Will any hon. gentleman tell me that it was not to the advantage of this country that this large quantity of sugar should be carried in vessels from the West Indies to Canadian ports, rather than have the refined sugar imported into the country over American railroads. The arrivals of West Indian vessels in the port of Montreal were as follows: in 1875, 9 vessels, with a total of 3,689 tons; in 1876, 3 vessels, 553 tons; in 1877, 3 vessels, 655 tons; in 1878, 7 vessels, 1,216 tons; in 1879, 33 vessels, 16,587 tons; in 1880, 45 vessels, 17,617 tons. Will any hon. gentleman pretend to say that the trade of the Dominion has not been greatly benefitted by this large tonnage between the two countries. The hon. Finance Minister, referring to the expenditure made by refiners in Canada in the carrying on of their business, said that it benefitted the Dominion to an amount equivalent to the difference of duty between that received now and that received under the late Tariff.

Sir LEONARD TILLEY. I said it was more than the amount of the duty, but I see the report makes me say the former.

Mr. WHITE (Cardwell).

Mr. WHITE. Upwards of \$300,000 have been expended by the two refineries of the city of Montreal, and the expenditure will be largely increased when the refineries in Halifax are in good working order. There is an extraordinary attempt to excite the feelings of the country against this particular feature of the Tariff. The hon. member for Centre Huron, in a speech which he made in Centre Huron last year, talked of 3½c. being added to the cost.

Mr. ANGLIN. He did not say that.

Mr. WHITE. I am going to read the hon. gentleman's explanation. The hon. gentleman need not be impatient. I do not propose to misstate his arguments in any way whatever. He stated that the Tariff added three and one-half cents a pound to the cost of the sugar to every consumer in Canada. There was not a gentleman who read that speech, even the hon. Finance Minister who read it and referred to it in Toronto, who did not take away the impression that the hon. gentleman intended to convey the idea that the policy of this Government had added three and one-half cents per pound to the cost of sugar. I would venture to say there was not a gentleman in that audience who did not come to that conclusion. If he did not mean that, what was the object of referring to the three and one-half cents at all? If he had a duty on sugar, which I will show you was in its practical operation on the consumer, more heavy than the present, why did he refer to the three and one-half cents unless for the purpose of exciting feeling against it? The hon. gentleman, the other night, explained his statement in this way:

"So in making his other statement that I had declared that each family in Canada had latterly to pay three cents per pound more for its sugar, surely the hon. gentleman, who had evidently that statement before him—because he declares in another part of his speech that I knew the total importation was about 116,000,000 lbs.—must have known that when I defined the loss as \$1,177,000, it was quite impossible that that could represent more than one cent per lb. He appears to be unable to distinguish between these two simple propositions; that the loss to the people of Canada over and above the money that goes into the Treasury is one cent per lb., and that the duty fixed on the sugar consumed by the people of Canada is 3 cents to 3½ cents per lb. These are not difficult things to distinguish."

But surely the hon. member for Centre Huron could not expect the audience to bear in their minds these different calculations, and give to his statement a meaning which it did not bear on its face. What is the fact? In 1877, taking the prices of sugar here and the prices in New York in bond and making a calculation, the people of Canada paid, under the tariff of the hon. gentleman, in consequence of the duty and handling, over New York prices, \$3.64 per 100 lbs.; while in 1880 they pay but \$3.23 per 100 lbs. over New York prices. What was the object of the hon. gentleman in referring to this matter of the 3 cents or 3½ cents at all, if it was not to create the impression that by the act of this Government that enormous burden had been imposed on the people. Not only has there been an attempt in this way to create a prejudice against it, but we had an hon. gentleman, from whom better things should have been expected, endeavoring in Toronto to excite public antipathy against a sugar refinery in Montreal, because the head of that refinery had made a great gift to a university. That hon. gentleman, a chancellor of a university, did not hesitate, in the city of Toronto, before a large public assembly, to make it a crime upon the head of that establishment because he had given \$50,000 towards the establishment of a museum in connection with McGill University. We have not many wealthy men in Canada who are willing to devote their money to objects of this kind. We have many institutions which require such assistance from the wealthy men of the country, and it is certainly not calculated to promote that kind of benevolence, when hon. gentlemen occupying high positions, such as the hon. member for West Durham, make it a crime, in a public assembly, against the Redpath refinery that Mr.

Peter Redpath had given \$50,000 towards a public institution, and stated that the amount was wrung from the earnings of the people through the higher prices which they had to pay for their sugar. Does the hon. gentleman know that in the city of Toronto the Hon. Wm. McMaster recently erected a church? Who complains of that? Who does not honor him for it? What would be said of the man who, before a public audience, would say: "Sir, you took that out of the earnings of the people; you might have sold them your cottons and dry goods at so much less; you might have given that enormous profit to your customers throughout the country; but, instead of that, you took from them every dollar you could get, and now you seek to pacify your conscience by building a church." Mr Jos. Mackay, in Montreal, who is not a manufacturer, but an importer, has recently distinguished himself—as I would be glad to see many merchants and wealthy men of Canada distinguish themselves—by erecting an asylum for deaf-mutes in Montreal. What would be said of the man who would charge him with having robbed the people by making them pay too much for their goods, and now wanted to make atonement? It was an unworthy attack for the hon. gentleman to make. He, of all men in this country, occupying the position of head of one of its leading Universities, instead of discouraging the wealthy from giving donations to institutions of this kind, ought rather to have applauded the action and acknowledged the honorable motives that prompted it. But the ex-Finance Minister, the other night, told us that this Tariff was equivalent to a mortgage of \$10 upon every acre of land in the country. Just look at that statement. An ordinary farm would be about 200 acres, which, at \$10 an acre, would produce a mortgage of \$2,000; which, at 7 per cent, would compel a farmer to pay \$140. The increase by the present Tariff, for which hon. gentlemen on the Ministerial side are responsible, is, say 5 per cent. That gives margin enough. That would amount to a store bill, because it is only on store bills that taxes are paid by farmers, of \$2,800. Now, I see the hon. member for South Wentworth looking at me, and I would ask him how many farmers in this country with 200 acres, have to meet a store bill of \$2,800? It is statements of this kind that, I venture to say, are doing the hon. gentlemen opposite a very great deal of harm. If we listened to them, our people would appear much poorer than they are—in fact, in a state of abject poverty. While one hon. gentleman tells us that every farm is mortgaged to the extent of \$10 an acre through this Tariff, another tells us that \$60 out of \$300, or 20 per cent. of all the earnings of the unfortunate poor man, goes to the tax collector. Under these circumstances, one would imagine that our people were in wretched circumstances. One or two tests will apply to these statements. Take, for instance, the Post Office Savings Banks—a pretty good test, because I believe the average deposits are small, that the office will not take over \$1,000 from any depositor, and will not allow a family to divide itself as to put in a larger amount—the object being not to encourage withdrawals from the banks and the ordinary business of the country. On the 30th September, 1878—I do not refer to that month for the purpose of hurting the feelings of hon. gentlemen opposite, but because it is a good month for the purpose of the comparison—the number of open accounts was 26,097, and the amount on deposit \$2,798,310.66. In 1880, same date, the number of open accounts was 32,804, and the total deposits, \$4,226,723.86. What is still more extraordinary is the fact that in the four months since that time, up to the 31st January last, the number of open accounts was 36,361, raising the total deposits to \$5,125,135.11. That, Sir, I am bound to say, is a very considerable indication that the people of this country, after they had mortgaged their farms for \$10 an acre and

paid their 20 per cent. of all their earnings to the tax-gatherer, appeared to have a great deal of money left to deposit in the Savings Banks. Then, I find that the number of deposits made in January last in the Post-Office Savings Banks was 7,014, and the amount deposited in small sums of on an average of \$60 each, reached \$452,889. The only month in the whole history of the Post-Office Savings Banks in which there was anything like so large a number of depositors and so large an amount deposited, was in August, 1879, when the Consolidated Bank failed and the Exchange Bank closed its doors and there was a general panic throughout the country in consequence; people seeking the Post Office Bank rather than the savings banks department of the chartered banks. In that month there was 6,022 depositors, who deposited \$409,077. In January, 1879, there were 3,970 persons opened accounts in the Post Office Bank, to the amount of \$219,462. I take now another institution which may be said to offer a very fair test of the circumstances of the people—the City and District Savings Bank of Montreal, which is perhaps the largest savings bank in the Dominion. On the 1st of October, 1878, it had 17,793 open accounts, with deposits amounting to \$3,524,239, and on 1st of October, 1880, the open accounts numbered 20,668, with an amount of \$4,379,662. I would like to know whether under these circumstances, it can be said that the people of this country are a poor people? Hon. gentlemen opposite may rely on this; that there is nothing which the Conservative party, at any rate, more desire than that they should pursue on this question their present course. We saw only the other day in the Montreal papers a letter from a gentleman who is a Liberal and has done good service in the Liberal cause, whose influence and power in connection with elections in that city I personally have very good reason to know something about—I mean Mr. L. O. David. The other day he published a letter declaring that the Liberal party had abandoned all idea of going back on the National Policy or returning to their old policy, because that they, as wise men, having regard to the public sentiment of the country and to the industries built up under the influence of this tariff, had resolved to maintain it in its integrity. It was stated, also, that the member for West Durham and an hon. gentleman in Quebec, Mr. Mercier, who may be said to be a leader of the Liberal party, actually, although not nominally, had given assurances to this effect. Parliament happily being open at present, we can have the statements of hon. gentlemen opposite on the subject. They are doing their best—I do not, for one, regret it, because I believe that, apart from the National Policy, having regard to the general interests of this country, to its development, improvement and advancement, that it is important that they should not be in office—to create the impression in the mind of every man in Canada, who has a dollar invested in business, that his interests and the interest of the country depend on those hon. gentlemen being kept in Opposition. They choose to take that course. They choose to say, to-day, that they are willing to oppose this National Policy, that they regard it as injurious, while every man outside Parliament believes it to be the reverse. When we find that such men as a gentleman in Montreal, who is well known as an active politician in that city, whose influence as a Liberal I have good reason to know something of—I mean Mr. William Clendenning—when we find such gentlemen as he writing to the newspapers and declaring that, notwithstanding what hon. gentlemen may say, the fact remains that things are more prosperous, that the boom is upon us, that every industry is prospering, we have no difficulty in estimating outside public sentiment. I say, if the hon. gentlemen choose to ignore these indications of public sentiment outside, then upon their own heads be the evil of it. Only yesterday morning, in the city of Montreal, I met a manufacturer on the street. I asked him how business

was prospering with him. He replied that it was booming. I said: "That is due to the National Policy." He replied: "Yes." I said: "You did not believe in it not long ago." His reply was: "Well, I did not believe that you were sincere in advocating it. I did not believe that your party would have the courage to bring down such a policy as we now have, else I would have taken a different course in your election in the city of Montreal." That gentleman is simply a type of many gentlemen in this Dominion who have come to realize that the welfare of Canada is bound up in the party which looks to the development of the country in its broadest sense—which looks to the development, not only of the industries of the country, but of every interest in the country, as this Government has done since it has been in office. I am satisfied that when this question of the National Policy comes up for review by the court of last appeal—the people—in 1883, hon. gentlemen opposite will be glad, if they can, to hark back from some of the statements they are making to-day, and to declare that, although they opposed the National Policy in the first instance, they are not now going to go back upon it, and they will be anxious to sneak back to the Treasury benches—if I may use the expression—under cover of a pretence of friendship to the policy which they have done so much to destroy. Happily, however, they are now making a record which will render it difficult for them to take such a course, and I, for one, do not regret that they are making that record.

Mr. CHARLTON moved the adjournment of the debate.

Motion agreed to; and (at 12 o'clock, midnight,) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 23rd February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### WHEAT CARGO OF THE "BOYNE."

Mr. GAULT enquired, Have the Government collected the duty on the cargo of wheat wrecked on board the ship *Boyne*; and if so, what is the amount collected?

Mr. BOWELL. The duty has been collected on grain, ex-ship *Boyne*, as follows: 13,723 bushels of wheat, at 15 cents, \$2,058.45; 45,559 bushels of Indian corn, at 7½ cents, \$3,419.93; total, \$5,478.83. That was the whole cargo, but the parties have the right, reserved to them, to a refund for any portion of the cargo that might not be taken from the vessel.

### IMPROVEMENT OF CASCUMPEC HARBOR.

Mr. HACKETT enquired, Whether it is the intention of the Government to place an amount in the Supplementary Estimates for the improvement of Cascumpec Harbor, Prince County, Prince Edward Island?

Mr. LANGEVIN. This matter is at present under the consideration of the Government.

### STEAMSHIP LINE BETWEEN ST. JOHN, HALIFAX AND LIVERPOOL.

Mr. WELDON enquired, In reference to the subsidy proposed to be given to a line of steamships to be run between St. John and Halifax, alternately, and Liverpool, is Mr. WHITE (Cardwell).

it the intention of the Government to ask for public tenders for the service?

Mr. LANGEVIN. It is the intention of the Government.

### ST. VINCENT DE PAUL PENITENTIARY.

Mr. DESJARDINS, in moving for copies of all correspondence, Orders in Council, petitions, Commissions of enquiry, returns and other documents, respecting the management and administration of the St. Vincent de Paul Penitentiary, since the 1st January, 1880, said: It has been the lot of this institution to have drawn, since it was established, more than its share of public attention. Almost every year, since 1873, we have had complaints and enquiries of all kinds relative to that institution, and in many instances dismissals have been made. It is well known that lately another dismissal has taken place, and we have now the enquiry as to what reasons have induced the Government to that decision. It is well known that during its first years this institution was far from being a success, that the first two years of trial had disastrous results; but these were explained by the fact that the building, which was intended for a reformatory school, had not the necessary requirements for a penitentiary, and, besides, the staff was inexperienced and untrained. With inadequate means and an inexperienced staff, it was not to be wondered at that the institution did not meet expectation. In 1875 important changes were made. The first warden was dismissed and another appointed; at the same time a radical change was made in the laws regarding the administration of the penitentiary. The wisdom of the change I was not ready to admit then, and I think now that, after the experience of some five or six years, we have more reason than we had then to doubt its wisdom. In fact, it was admitted then the change was rather an experiment than a law to be admitted as being a decided improvement on the former one. Under the operation of the new law complaints increased to such an extent that in 1878, on the demand of hon. members of this House, a Commission was appointed under the provisions of the Act of 1875, and two men of great authority in those matters were named to investigate into the whole question. We have now their report. The object of the enquiry was to ascertain what was the *morale* of the institution, its discipline, the efficiency of its staff, and its financial condition. Those Commissioners visited first the Kingston Penitentiary, which was acknowledged to be the first institution of the kind in the Dominion, and to rank among the best on the continent. Their motive in visiting the Kingston Penitentiary was, as they explain:

"We were the more anxious for such a visit to the oldest of Canadian penitentiaries, because we were aware that that establishment had not been subjected to the same discouraging aspersions and complaints as had been its sister institution in the Province of Quebec; but, on the contrary, was esteemed at headquarters as being well managed and as presenting a highly satisfactory condition of affairs."

The result of their visit was to convince them there was scarcely nothing to desire in that institution. They then went to the St. Vincent de Paul Penitentiary in July or August, 1879, and spent there some two months, to see what was actually going on, what were the deficiencies, and what was the remedy required. They came to the conclusion that while there were some defects in the administration, the institution could compare favorably with the other, taking into account the fact that the Kingston Penitentiary had been established since 1835, whilst the St. Vincent de Paul Penitentiary was only in its infancy, and had a building insufficient for its purpose. They found that:

"As respects the *personnel*, *morale*, and other higher considerations and conditions bearing upon the primitive and reformatory character of these institutions, we owe it to justice to state our conviction, that on these higher grounds the St. Vincent de Paul is not in any way inferior to the Kingston Penitentiary."

"By way of drawing your attention to the more manifest defects and requirements of these two important institutions, we may at the outset state that both suffer from a defective system of accounting; that St. Vincent-de Paul Prison suffers further from its general state of incompleteness, an insufficiency of plant, fittings and acreage."

At the end of 1876, a change of warden having taken place in the meantime, the inspector was able to report as follows:—

"We are happy at being able to state with the experience of fourteen months of Dr. Duchesneau's régime before us, that the Penitentiary, in all the details of its management, has been entirely reorganized and improved." It is worthy of remark that during these evil times the lack of discipline and general demoralization existed more among the under officers than among the convicts, whose morals were saved from the worst consequences by the faithful and unremitting exertions of the Chaplains and some other superior officers, whose struggles for good, under the most disheartening conditions, deserves the highest praise. The change of management did not, however, immediately effect the revolution which might have been looked for. Incompetent and unworthy officers still exercised their baneful influence. They could only be weeded out as circumstances came to the knowledge of the warden which justified their dismissal. These defects have now been, for the main part, remedied, and we believe the St. Vincent de Paul Penitentiary now possesses, with very few exceptions, a good and thoroughly efficient staff.

"This remark we feel justified in making without reserve, having carefully examined the rolls, the causes of removals, the minute books and records of the institution, and having found our opinion derived therefrom fully confirmed by a personal inspection of result.

"The morale of the institution appeared to us to be really excellent. There was in the appearance, the conduct, the health and industry of the convicts, no indication of the existence of vicious practices or of immediate evil dispositions, nor even of determined indocility; on the contrary, the aspect and general behavior of prisoners we invariably found good to a remarkable degree.

"We followed them for days at church, in the school, in the shops, at outside work, and at night in the dormitories, and can bear testimony to their general good demeanor."

"There are, of course, offences committed against the prison rules, most of them of a trifling character, some of a more serious kind; but, we repeat it, the general conduct of the bulk of the convicts and the spirit evinced by them is as good as can be expected to result from the very best application of means of reform which can be used in connection with the population of a penal institution. At church, where the ceremonies of worship are carried on with imposing solemnity, the convicts deport themselves with becoming dignity and exhibit all the exterior signs of a proper respect for religion. Their church music would do credit to many churches conducted under happier auspices.

"The proficiency of the convicts at school, as well as in the various trades, is another proof of the spirit pervading the establishment. Men, and some of them at an advanced age, who could neither read nor write, have learned to do both, and others have very materially increased the stock of elementary knowledge they were possessed of when they entered. They avail themselves eagerly of the means of improvement placed within their reach; the libraries are small, but, to all appearances, judiciously selected, and the books are in constant circulation and generally well cared for.

"Most of the convicts, it may be said, who had no trade before entering the prison learn one there, and if sentenced for long terms, or if particularly apt, they not unfrequently make themselves master of two.

"The health of the convicts, so particularly and exceptionally good at St. Vincent de Paul, is also in a measure an evidence of a high state of the morale of its population, the influence of which is discernible in every department, and under all circumstances."

This was really giving a good certificate to the efficiency of the staff of the establishment, and telling highly of the wise precautions taken by the authorities of the penitentiary and of the efficiency of its medical officers; especially when it was despite the overcrowded condition of the penitentiary—for in several instances they were obliged to accommodate up to forty convicts in the same room during night, and they had to use damp and dark cells for the others. They remark further, that the healthy state of the institution at St. Vincent de Paul is remarkable, and continue thus:

"The continuous exceptionally healthy state of the St. Vincent de Paul Penitentiary would be remarkable under the best of circumstances; it is much more so when it is considered that a notable portion of its population is lodged at night in temporary dormitories of insufficient space. Since its establishment in 1873, this prison has been not only free from all contagious, epidemic or endemic diseases, but also from ailments indicative of morbid or depressing influences of a general character. Such a state of things is so exceptionally good that it is hardly to be expected that it can maintain itself, at the same point, as the normal condition of things."

As to the efficiency of the staff in 1879, they say:

"The present staff appears to us to be well adapted to the duties imposed upon them, from the warden to the lower grades. Unavoidably, there are several degrees of fitness, as is always the case; all are not

equally good or efficient. We have, indeed, reason to suspect that there are a few of the under-officers, and fortunately but few, who are lacking in some important requisites for their office."

These facts, meantime, are easily explained. It was found that the system of accounting was deficient here as at Kingston itself, formerly, and that led to some regrettable occurrences. The attention of the officers at headquarters was called to the fact, and I understand that remedies have been found for that state of things. As regards the insufficiency of the buildings, the Commissioners go on to say:

"The permanent buildings at St. Vincent de Paul, so far as they are completed, are well suited for penitentiary purposes. They are severe in style and very substantially constructed. They are, however, insufficient even for present wants, not to speak of the future requirements of the Province of Quebec. At the end of our short sojourn at St. Vincent de Paul there were within the walls of that institution 312 convicts, 141 of whom were lodged at night in temporary quarters. Of these sixty occupied strong cells in a portion of the building never intended for that purpose and lacking the proper space of many thousand feet. Fifty-six occupied wooden cells, insecure and badly situated; twenty were in an associated dormitory, and eight in the dungeon cells. By this time, however, eighty-nine recently finished cells will have been fitted up in the new wing."

Well, that state of things might explain, to a certain extent, the great number of complaints since the opening of the institution. In fact, it has been too much the fashion of the authorities here to compare the requirements of St. Vincent de Paul with those of the older prison at Kingston, and to judge of the expense of each per capita, instead of judging of the expense needed on account of the new penitentiary not having been put in the same position and on the same footing as the other; and to the delays in granting the necessary aid to the St. Vincent de Paul institution, and the necessary sums to proceed with the works necessary, and the requisite buildings, are to be largely attributed some of the disturbances and irregularities that have taken place, and which have caused so much complaint. But, after having received such a report as that of Messrs. Taché and Miall, and getting it published throughout the country, the public could not help being surprised on hearing that after such a report new enquiries were asked for and granted, and that the Inspector went to the penitentiary and instituted a new investigation and enquiry regarding its whole facts and history; and if we may judge by the result, it is very apparent that the conclusions at which the Inspector arrived are entirely different from those which I find in this report of Messrs. Taché and Miall. It now remains for us to see if, really, those continual investigations are justified by the faults or deficiencies of the officers. From what I know, my belief is that the changes in the law of 1875 have had much to do with the troubles which have occurred in that institution. I think it was a great mistake to do away with an independent body of directors who had made a special study of the subject, and who had devoted their time and attention to the well-being of such establishments, and to centralize the control of such institutions in a political department here. The change, in my opinion, has had the effect of leading many politicians to believe that that penitentiary had become a new field open to the exercise of patronage, and the perpetration of jobs and other things of that kind which, undesirable anywhere, are especially so in connection with such institutions as this, whose principal end is to protect society from the criminal classes, and to exercise a beneficial moral influence upon those who come within their walls. I think we should give to the officers of such an institution that confidence and freedom of action which are necessary if they are to initiate measures for its well-being. My opinion upon that point is corroborated by the report made by Messrs. Taché and Miall, who say:

"The study of the subject of prison management, if pursued free from the influence of preconceived ideas, must lead an unbiassed mind to the conviction that such institutions should be governed and directed by an organization or body of men free from immediate political or other extraneous influences."

I know that for some years in the past that institution has been denounced on account of its officers interfering in elections. I know that it has been widely circulated that accusations have been brought against some of these gentlemen for having left their duties to engage in political canvassing in Ferreboune, Laval, Montreal and my own constituency. It was known that leave of absence was too easily granted in the days when canvassing was in vogue, and that fact led to uneasiness and complaints which culminated in the last enquiry and the dismissal of the late warden. If those reports were well founded it would give more strength to the concluding remarks made by Messrs Taché and Miall, and would call for the immediate action of the Government. These gentlemen say :

"Such organized bodies exist in every civilized country, whether under the name of Inspectors, Superintendents, Directors, or Commissioners, and are generally constituted into Boards, whose relation to the executive officers of each establishment are somewhat analogous to the relation subsisting between Parliament and Cabinet, under a constitutional form of government. Their duties are consultative, deliberative, and in a measure, legislative. They decide upon what general principles the prisons shall be governed, and their decrees, when approved by the Minister of State, are carried into effect by the local executive.

"Such was the condition of the question in Canada before the passage of the Act of 1875, which we are bound to call an unfortunate deviation from the usual course pursued in almost every country aiming at the reform of its criminal population."

Proceeding further, they show how difficult and how inefficient must be the control which can be exercised over the institution by a department like the Department of Justice, when so far removed from the institution :

"A Government department might almost as well undertake to treat, at a distance, the patients of our public hospitals, as direct, by correspondence, the life and conduct of a penitentiary. The officers and clerks of a department can hardly be considered as *ex officio* authorities on prison matters, and if directors or inspectors are made under-officers of a department, they lose, by the very fact of occupying such a position, the freedom, the status, the immunities which are necessary to the proper discharge of their important and often delicate functions, at the same time the feeling or sense of responsibility, on account of their trust, is materially backward."

I think the experience we have had goes far to prove the truth of these remarks. I have to say, however, that the first two years of the operation of this law showed, perhaps, better results than the experience of late years. It is to the credit of the Minister of Justice of that time that he directed all his efforts to bring all the penitentiaries into a state of efficiency, and while he held that office he took care not to allow political bias to interfere with the success of its management, but, on the contrary, sought to govern the institution from the high point of view from which all such institutions should be governed. He was succeeded, however, by a Minister of Justice who did not appear to attach that importance to the administration of the affairs of the penitentiary with a view to the social welfare of the community, and who was, if I am correctly informed, too much disposed to obtain from the institution all the political influence which he possibly could. It is to that state of things that we owe the enquiry which took place, and the report from which I have been quoting. The late warden has been dismissed. Another one will soon be appointed to succeed him, and if the law remains as it is, if the relations between the Department of Justice and the management of the penitentiary continue to remain as they are, it is probable that the next warden will not keep his place any longer than the one who has been dismissed. I think it is very important, for the well-being of any institution of that kind, that prompt remedies should be applied to the evils complained of.

Mr. McDONALD (Pictou). There is no objection to the papers being brought down. I am very glad, indeed, my hon friend has given me an opportunity to lay them on the Table of the House. I do not intend to speak of the  
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history of the Penitentiary of St. Vincent de Paul, but I have one or two observations to make upon statements he has made as to the action of the department over which I preside with reference to that institution. I shall not discuss the question he has raised as to whether the policy initiated some years ago with reference to the government of those institutions is a wise one or not, or whether it would be better, as in former years, to have these institutions managed by a board, instead of putting them under the superintendence of an Inspector of Penitentiaries, under the control of the Department of Justice. I will only say that in 1878, when I took charge of the department, I found that there was, and had been for some time, a state of things existing in that institution not at all conducive to its proper administration, or to the proper management of its affairs. At the earliest convenient moment, I caused the Commission to be appointed to which the hon. member refers, composed of two very able men, Mr. Taché, Deputy Minister of Agriculture, and Mr. Miall, of the Department of Inland Revenue. The report of these gentlemen resulted in an arrangement of some matters connected with that institution which from that time to a recent period, at any rate, conducted largely to the quiet and smooth administration of its affairs. However, during the last summer a complaint was made by a member of Parliament, a very influential gentleman, living in the neighborhood of the institution, of a very serious character, containing numerous charges against the warden of that institution. It is quite true, as the hon. gentleman states, that this gentleman spoke of the warden in a highly complimentary manner as to the way in which he had managed the institution. Subsequent to that date written charges were placed in my hands by a gentleman occupying a high position in public life, as well as in the community where he resides, making charges of so serious a nature against the warden's personal character and habits, as well as his mode of administration, as to make it imperative that an investigation should be held. That investigation was ordered as provided by law. The Inspector of Penitentiaries proceeded to St. Vincent de Paul and sat for many weeks, taking an enormous amount of testimony, being assisted for a considerable portion of the time, at his own request, by the Deputy Minister of Justice. On the evidence so taken the Inspector of Penitentiaries presented a report, and upon this report, confirmed by myself, the Government came to the conclusion that it was in the interest of the penitentiary that Mr. Duchesneau should cease to be the warden, and the result was that he was superseded, and the institution is now managed by the deputy-warden, acting as warden in the meantime. This is the state of the case, and I shall be happy to lay upon the Table, for the information of the House, the evidence on which the Government decided to take the course I have mentioned.

Mr. MASSON. Do I understand the dismissal of Dr. Duchesneau was in consequence of the truth of the accusations, or certain of them, made against him by the gentleman of whom the Minister speaks, or whether it was on account of the inability of the warden to conduct the affairs of the penitentiary with the staff at his disposal? In the one case the dismissal casts no odium upon the warden; in the other case it casts a great odium upon him.

Mr. McDONALD. The only answer I am just now able to give to that question is, that the Government felt compelled to dismiss the warden on the evidence taken by the inspector.

Mr. BLAKE. I am sorry to learn that it has been found necessary to supersede the late warden of the penitentiary, and I think that my hon. friend's observations, if I rightly caught it, deserves at least this degree of attention: that

since very grave inferences are to be drawn from the statement of the Minister, there ought to be no delay in laying these papers on the Table of the House, so that we may know what the exact degree of impropriety or inability of the late warden has been. It may be quite consistent with that gentleman's perfect rectitude of demeanor morally, and his honor, that he may have been found incompetent for the situation; on the other hand, the observation of the Minister certainly impressed me very painfully, as they seem to have impressed the hon. member for Terrebonne (Mr. Masson), that the sustained charges were of a very grave character. I may say that I was responsible for the original appointment of Dr. Duchesneau. I made that appointment under a very grave and pressing sense of the responsibility that surrounded me, and I watched with very earnest care during the remainder of my tenure of office, and made very frequent enquiries as to the progress of St. Vincent de Paul under the practical re-organization which then took place, and I must say that the reports which I received from various quarters, and the indications of opinion from various sources, not politically favorable to myself, were that upon the whole there had been every marked improvement in the condition of the institution, and that the warden adequately fulfilled the duties of his charge. I had the gratification of learning that such was the opinion expressed by the hon. gentleman who formerly represented Laval in this House, and who has ever since occupied a seat in the Senate, Mr. Bellerose. It is, therefore, with the greater regret and surprise that I learn that such a feeling has existed as to require the supercession of Dr. Duchesneau. Of course, I have no information whatever on the matter from any human being, and I will not, in the slightest degree, prejudge the case. On the contrary, I give that confidence to the hon. gentleman which is quite due to him, and I presume that the papers to be laid before us will be found to justify his action. I may, however, be permitted to say a word with reference to the important question which the hon. member for Hochelaga (Mr. Desjardins) has raised—whether the step taken in 1875, though not under my administration of the Department of Justice, was a step of progression or retrogression. So far as I could judge from the tolerably constant recourse I was obliged to have to the proceedings of the board, which ceased to exist a good while before I took office, I was not favorably impressed as to the efficiency of that particular board, and I will add that I am not favorably impressed, as a rule, with the efficiency of boards as instruments of management. I believe there is a great deal of good sense in the remark made by an English epigrammatist, that all boards are screens; they are good machines for accomplishing the will of another. I agree with the view expressed that it is impossible to administer the penitentiaries without an Inspector. But there is an Inspector, and his duty is to visit the penitentiaries very frequently. That is absolutely essential. But my belief is that there is much to be said in favor of the view that those who ultimately exercise authority should exercise it, to a large extent, openly; and if your board is a screen for the Government, if your board of inspectors or directors of penitentiaries are men holding their offices at pleasure, and whose action is controlled by the Government, it is very much better that you should have a person who is ostensibly controlled by the Government than persons who may act under a screen, and under whose apparent action the will of the Government may be carried out. I believe a more direct responsibility exists under this than under the old system. Both systems, very wisely in my opinion, left nominally and actually a large control to the wardens of these institutions. The lower grades, under the Act, are appointed by the wardens, and the

higher offices by the Government. I believe that is not an unwise arrangement, and I believe it ought to be adhered to in the spirit as well as the letter. My rule, when I held the office held by the hon. gentleman opposite, was not to interfere in the least degree with the appointments made by the warden, only informing him that he should be held strictly responsible for the efficiency of the officers he appointed. If any other rule were adopted—I do not insinuate that any other rule has been adopted—I think it would be a misfortune, because I believe the warden is the only person who can really judge of the efficiency of the officers under him. I think they ought to understand, in order to do their duty properly, that they, to a large extent, owe their offices to him. The hon. gentleman seems to assume, as the report of the Commission seems to assume, that by having three men instead of one, a board of inspectors instead of an inspector, you remove them more effectually from political influence. I do not think you do it, or it was not done when the old board existed. The hon. gentleman objects to officers interfering in elections. In the election of 1874, I heard that the officers of the Kingston Penitentiary, which the hon. gentleman often speak of as a model institution, were driven together in sleighs to the polls, under the auspices of the warden of that institution, for the purpose of interfering in the election. But that was done in the good old days, under the influence of a board from which you hoped to eliminate political influence. You cannot eliminate political influence in that way. But if the common sense of this House and the country is, that the penitentiaries should be conducted with a sole regard for the public good, that the measure of power which is given to the wardens as to patronage, should be really exercised by them, and that contracts should be let with a single eye to the welfare of the institutions and not as a result of political influence, then we should be able to see that that rule is carried out, and very much better under the present system, I think, than if you had a board under which the Government might screen their action, or the hon. Minister of Justice might indicate his will by a nod or a wink. I do not wish to imply that there has been any impropriety on the part of the hon. gentleman; all I wish to say is, that if there is a chance of political interference or impropriety, it is more likely to be exercised, while there would be less security as to the direct responsibility of the hon. Minister, in the establishment of a supposed independent, but really dependant, board.

Mr. OUMET. Mr. Speaker, it is not to answer an attack made by the hon. member for Hochelaga (Mr. Desjardins) that I now rise, but it is merely to say that I have my share of responsibility in the facts that have taken place recently at St. Vincent de Paul's; I have my share of responsibility in the fact that a second enquiry was especially granted against the warden of the St. Vincent de Paul Penitentiary, and this is the reason: In the report whereof the hon. member for Hochelaga has read extracts, he will find an allusion to a certain conspiracy concocted by four of the subordinate employees of the penitentiary against the physician of this institution, Dr. Pominville. These employees gave sworn evidence, it would seem, to the effect that Dr. Pominville had neglected his duties, especially with regard to the families of the employees of the penitentiary entrusted to his care. These four employees, after having given this sworn testimony, thought fit, on an enquiry being made by Mr. Moylan, inspector of penitentiaries, to retract their charges, and even went so far as to state under oath the contrary to what they had said before, insinuating that they had been induced, by false representations, to make their former statement. The Commissioners said in their report that these four employees should have been condignly punished, that is to say, discharged from the

penitentiary. However, after the Penitentiary Inspector had made his enquiry, as I stated just now, and on account of certain attenuating circumstances, with the consent of the Minister of Justice, the Hon. Mr. Laflamme, were, so to speak, pardoned and maintained in office. After this very complimentary report with regard to Dr. Duchesneau had been made, one would say that a great weight had been lifted off his bosom, and that he believed himself above the attacks of his opponents, and that he should wipe out of existence all those who could in any way harm or embarrass him in the penitentiary. So the very next day, after the report had been approved of by the Government, and Dr. Duchesneau had received a letter informing him that he was exonerated from all blame, these four employees were discharged without the least warning. What reason had Dr. Duchesneau for dismissing these four employees? He had none. The Penitentiary Inspector and the Minister of Justice had considered the question; they had thought that it was better to deal leniently or mercifully with these employees, and, as I have already stated, they were maintained in office. After having received a severe reprimand, why, I again ask, did Dr. Duchesneau see fit to overlook that fact and discharge these men? Naturally enough, these four men made a complaint to the Government; they also complained to me, and, therefore, as I had a good deal of other information coming from authentic sources, tending to show that Dr. Duchesneau was practicing in the St. Vincent de Paul Penitentiary what the Liberal in England has always called personal government for personal ends, I deemed it my duty to ask for an enquiry, especially as it was within my personal knowledge that Dr. Duchesneau had taken an active part in all the elections of 1878, and before, in 1876, in the election of Hon. Mr. Laflamme, as Minister of Justice. And if, in 1878, I and the candidate for Jacques Cartier, together with his friends, were not thrown into the River St. Lawrence, it was not the fault of the employees of the St. Vincent de Paul Penitentiary, who, with the knowledge and consent of Dr. Duchesneau, who was present at the meetings, endeavored to prevent us from speaking, and formed the plan of throwing us into the river running on the other side of the road. Such, Mr. Speaker, are facts that came to my personal knowledge. Now, I can state that as soon as Dr. Duchesneau set foot in the penitentiary at St. Vincent de Paul he discharged, as far as he could, all the Conservatives. I do not reproach him with that; I have no spite against him on account of it; but the hon. member for Hochelaga spoke of partizans who wanted to enjoy the patronage of the penitentiary and profit by the jobs. As to the last question, I do not think that I need pay any attention to it; but as to the first, I say that the St. Vincent de Paul Penitentiary, like all other institutions under the control of the Government, owes a certain amount of patronage to the Government and to their friends; and I say that Dr. Duchesneau had not the right to interfere at St. Vincent de Paul in order to discharge these employees. I must say that I never interfered, and that I know no one in our party who has done so in order to have an employee discharged on account of his political opinions; but I maintain that when an employee is discharged and has to be replaced, the patronage should not be exercised by the warden for purely personal ends and in favor of his own party. I say, that if it happens that a Liberal is at the head of the St. Vincent de Paul Penitentiary, when a Conservative Government is in power, he should not profit by his position in order to take in all the political outcasts, all those who were thrown on their own resources when their party lost power, and give them fat sinecures, whilst our friends are seeking for employment. That is what I maintain; and I say that Dr. Duchesneau profited by his position in order to favor his party and his personal friends, to the detriment of the friends of the Government that are in power since 1878. Well, I maintain that is a sufficient reason; I

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say that is an act of partizanship sufficient to justify me in asking for an enquiry into the conduct of Dr. Duchesneau, especially in view of the fact that Dr. Duchesneau was directly accused of having himself concocted the conspiracy by means of those four subordinate employees, in order to get the physician of the penitentiary discharged, and replaced by one of his friends, Dr. Germain, of St. Vincent de Paul. Why, Sir, are we going to tolerate in the Penitentiary of St. Vincent de Paul a man who makes use of his authority to concoct conspiracies against his subordinates, and in order to induce other employees to testify against their colleagues, against their co-employees? I must now state that during the whole time that Dr. Duchesneau was at St. Vincent de Paul, we had nothing else but that; he was very skilful in one thing, and, moreover, he is skilful, generally speaking, for he is a man of talents and of a serious turn of mind, but he is particularly skilful in hatching conspiracies against the employees that he wanted to discharge, in order to replace them by some of his friends; and I could give the names of those who have fallen victims to these conspiracies. Well, is not that an abuse of power that deserves to be censured by the Government? Is not that an abuse of power about which a member is in duty bound to have an investigation made? That is what I have done. I asked that an enquiry should be made, and it was made. I do not know what came out of this enquiry, but I know that the warden of the St. Vincent de Paul Penitentiary, Dr. Duchesneau, has been discharged because accusations, even graver than those I mentioned, have been proven against him; for if really the report is what I think it is, I must say that I entirely approve of the conclusions arrived at by the hon. Minister and the Government. After all, Sir, it must not be supposed that Dr. Duchesneau could not be removed. I know that a powerful member in Government circles was protecting him, and it was on that account that whilst the enquiry was going on, and whilst the report was being taken into consideration by Her Majesty's Government, telegrams were arriving every day at St. Vincent de Paul, and Dr. Duchesneau was continually announcing to his friends: "I shall be exonerated from all blame, and we shall wipe out all those who have borne testimony against me." That was what was being said every day at St. Vincent de Paul, not at the suggestion of the person mentioned as belonging to the Senate, but while that hon. gentleman was absent from St. Vincent de Paul. I say, Mr. Speaker, that that was sufficient, in my opinion, to prove that Dr. Duchesneau was not worthy to remain as warden of the St. Vincent de Paul Penitentiary. I never knew a man more arbitrary in his actions, more arbitrary in his opinions and in his conduct, as the warden of the St. Vincent de Paul Penitentiary. Let it be borne in mind that I am only giving my personal opinion. I was not present at the investigation; I have not read the report; I do not know what has taken place there, but I state what has come to my personal knowledge, and that makes me believe that the Government was perfectly justified in discharging Dr. Duchesneau as warden of St. Vincent de Paul Penitentiary; and I even say that the facts that have come to my personal knowledge are sufficient to allow me to express the opinion before this House, that even should the report be no stronger than the hon. member for Hochelaga has stated, I would endorse, with all my heart, the discharge of Dr. Duchesneau as warden of the St. Vincent de Paul Penitentiary. Now, Sir, it has been stated that it would be better to change the law. I have nothing to say about that. The law was passed, I think, under the Liberal Government—in 1874 or 1875 I believe—and I am of the opinion that hon. gentlemen opposite should explain it, as at all events they are responsible for it. However, I agree with the hon. member for West Durham, who stated that it would be better to have a direct responsibility, which cannot be reconciled with the

partizans and jobbers of which the hon. member for Hochelaga spoke, so that injustices may be committed and the responsibility thrown upon persons who are not responsible to Parliament.

Mr. MASSON. It has been stated by the hon. member for Laval (Mr. Ouimet) that there was great difficulty in dealing with Dr. Duchesneau for some time, because a most powerful influence in the Government was supporting him. In fact, I did protect Dr. Duchesneau so far as I could do it honestly and fairly; I did prevent him from being dismissed on the ground that he was a political opponent, because my policy and that of this Government when I was a member of it now—I do not know what the policy of this Government is—was, that a man should not be dismissed because he was a political opponent. I stood by Dr. Duchesneau at that time, not only for that reason, but because I knew myself that St. Paul Penitentiary was an admirably administered institution. I knew that, and I said so, not only when sitting on the Treasury benches, but when I sat in Opposition. The year after Dr. Duchesneau was appointed the question came up in the House, and complaint was made against the then Government of the day for having appointed him, a political opponent, and a bitter personal opponent of my own politically, because I thought him a most efficient officer. How did I know that? Not only from what I read and heard, but by visiting the penitentiary, examining the state of affairs, and ascertaining the position of matters when he took charge, and the condition at the time of my visit; and seeing the results achieved, I was satisfied Dr. Duchesneau was an efficient officer. After I became a member of the Government, the Minister of Justice himself asked me to look into the St. Paul Penitentiary affairs, and visit it and make up my mind respecting it. I did so. I visited the institution, and was convinced that the institution was as good as any in any part of Canada—as good as Kingston Penitentiary—and having formed that opinion, I told the Minister of Justice of the fact; and when I saw people wishing to get rid of Dr. Duchesneau, was it not my duty, having seen the results of his administration, to see that an efficient officer was not dismissed because he was a political opponent of ours? That officer was, however, dismissed, although, according to the report of Mr. Taché and Mr. Miall, two men who, it will not be asserted, are great Radicals, especially Mr. Taché, Dr. Duchesneau was a most efficient officer; and such is, I believe, their opinion yet. I will read a clause regarding the condition of the penitentiary when Dr. Duchesneau took it and its condition when he left it:

"This institution has suffered, and probably still in some measure suffers, in reputation from the misfortunes and mismanagement of its first years of existence (from 1873 to the end of 1875). The state of affairs then existing caused the then Board of Directors to report in 1874, that, 'Its administration has not given satisfaction.' 'Matters went from bad to worse, and, in 1875, the present Inspector reported that the administration in every essential respect had become demoralized adding that in his opinion he was confirmed by the reports which he received from the deputy warden, the chaplain and chief keeper.' At the end of 1876, a change of warden having taken place in the meantime, the inspector was able to report as follows: 'I am happy at being able to state, with the experience of fourteen months of Dr. Duchesneau's regime before me, that the penitentiary, in all the details of its management, has been entirely reorganised and improved.' It is worthy of remark that during these evil times, the lack of discipline and general demoralization existed more among the inferior officers than among the convicts."

At this point I desire to say a word to the Minister of Justice. It need not be matter for surprise that the subordinate officers should have some grudge against Dr. Duchesneau for the action which he took to prevent that demoralization which was due largely to those sub-officers themselves, and bring the institution into that state of efficiency in which it is to-day. No doubt that is the cause of the great displeasure of some officers of the penitentiary at the present moment. Messrs. Taché and Miall have given an example

of the excellent administration of the penitentiary last year. They state:

"We cannot better close our remarks upon this point than by mentioning that while there we witnessed the performance of one of the most-irksome general movements which can test the discipline of both officers and convicts. A circumstance arose which called forth an abrupt order from the chief keeper to lock all the prisoners within their cells, and this in the midst of a working day. All sorts of conjectures, as to the reason of such an unusual measure, must have been raised in the minds of both under-officers and convicts, who were equally ignorant of its cause, yet the order, thus sudden and unexplained, was executed with promptitude and precision, without confusion, noise or murmur; the only thing perceptible being an apparent eagerness to obey, mingled with a little anxiety and more than ordinary caution."

I think that having established the facts as I have established them, the hon. member for Laval (Mr. Ouimet) was rather hard on me in directing the attention of the House, invidiously, to the circumstance that there was a powerful man supporting Dr. Duchesneau in his position. I acted in this matter as I would act again if I were again on the Treasury benches. When a public officer does his duty, I do not look to what party he belongs, and I act accordingly; and in this case I still believe, unless there is strong evidence in that testimony, that a mistake has been committed in dismissing Dr. Duchesneau, at least as he has been dismissed. I know that wardens of this penitentiary, against whom I wish to say nothing, have been discharged, or rather their services were dispensed with when the institution had fallen, under their care, into a sad state of demoralization, and who are now receiving allowances of \$1000 a year as gratuity, while Dr. Duchesneau, who took charge of St. Paul Penitentiary when it was in the bad condition and at the low standard described in the report of Messrs. Taché and Miall, and brought to its present creditable position, instead of being treated as other wardens had been treated, had been dismissed, his salary being stopped from the day of his dismissal, and being obliged to vacate his residence at one month's notice.

Mr. OUIMET. When I made allusion to the powerful hand in the high ministerial sphere that was protecting Dr. Duchesneau, I certainly alluded to the hon. member for Terrebonne, but not, as he has stated, in any invidious way. I only alluded to it to show that while the investigation was going on, and after it had ended, Dr. Duchesneau was going around the village of St. Paul, saying everywhere that he was protected by that powerful hand and defying any one to have him dismissed. I mentioned that, not to throw blame on the hon. member for Terrebonne. I know the hon. gentleman protected Dr. Duchesneau because he thought Dr. Duchesneau had rendered services to the penitentiary, because he thought he was a very good officer. He did not know these petty facts which were known by every one in St. Vincent de Paul. I mentioned it only to show how indecent it was for Dr. Duchesneau to go round the village howling before every house that he was protected by the hon. member for Terrebonne and could defy all his enemies, and that as soon as the report would be adopted by the Government he would sweep out the whole penitentiary. As I said, I am not responsible for Dr. Duchesneau's dismissal. I am only responsible for having gone to the Minister, laid before him facts which were within my own knowledge and other facts that had been mentioned to me, and asked him to cause this enquiry to be made. This enquiry having been made, my responsibility ends there.

Mr. DAOUST. Mr. Speaker, although I quite agree with the remarks made by the hon. member for Laval (Mr. Ouimet) with regard to Dr. Duchesneau's political conduct at public meetings, which conduct is not such as civil servants should generally indulge in, it was, nevertheless, not a sufficient reason to cause me to speak on the subject. But I heard the hon. member for West Durham say that before Mr.

Duchesneau was appointed as warden of the St. Paul Penitentiary, sleigh loads full of the Government's employees at the penitentiary went to vote for their political friends. I cannot say that such is not the case, but I know nothing of it personally. I was at the time deputy-warden of St. Paul Penitentiary, and I have never heard of any cabal on the part of the employees in favor of this or that candidate.

Mr. BLAKE. I referred to the Kingston penitentiary.

Mr. DAoust. I had understood the hon. member to refer to the St. Vincent de Paul Penitentiary. At any rate, I will state a few facts. In 1873, when the Liberal party came into power, the most influential friends I had in the county of Two Mountains sent a deputation to me to ask me if I would again stand for the county, as they thought that I was shortly going to be dismissed from my post on account of political opinions. I thought, however, that there could be no reason to dismiss me, unless I had committed blameworthy acts during my administration. At the beginning of 1874, during the general election, Mr. Laflamme, who was one of the leading members of the party in power, asked me, through one of his friends, to visit him in Montreal, in order to come to an understanding with him. When I arrived in Montreal, he asked me to work in favor of Mr. Prevost's election; I refused, whereupon Mr. Laflamme threatened me. He said: "You are in our power, and if you do not accede to my request, you will be liable to be dismissed." I replied that that was not a reason for me to go through the county of Two Mountains to advocate Mr. Prevost's political ideas, which I had always opposed. However, at the request of a few friends, I went through the county to discover if it was really the intention of the electors to oppose, at all hazards, the Government then in power, and on my return I told him that all the most influential electors were determined not to support Mr. Prevost. Yet, notwithstanding the wisdom I displayed under those circumstances, I was dismissed; no reason being assigned for my dismissal. I was charged with being too mild and too faithful. I have nothing to say against Mr. Duchesneau's administration. I know that he took a very active part in politics, for, on several occasions, he visited the county of Jacques Cartier. On one occasion the hon. member for Laval told him that he was out of place, in neglecting his duties at St. Vincent de Paul, to come and take an active part in the elections at Saint Claire and other places in the county of Jacques Cartier. I regret that I misinterpreted the remarks of the hon. member for West Durham, who was alluding to the Kingston penitentiary. I thought he was alluding to the county of Laval. As far as I know, no officials of the county of Laval ever took an active part in the elections which took place whilst I was deputy-warden of the St. Vincent de Paul Penitentiary.

Mr. LANGEVIN. I have no doubt the hon. member for Terrebonne gave Dr. Duchesneau the benefit of his protection, because he thought Dr. Duchesneau was worthy of it. Up to the time the second enquête was asked for, I had no reason to believe that Dr. Duchesneau, though he had been an opponent of ours before his appointment, and perhaps afterwards, was not an efficient officer. The Government thought the complaints made were sufficient to warrant an enquiry. For my part, I am sorry that there should have been complaints against Dr. Duchesneau. I will take this opportunity to say to the hon. member for Terrebonne, that the same policy that existed when he was in the Government, with regard to officers appointed by our opponents, still exists. We stand by that policy. We stood the other day by that policy against the wishes of a number of our friends. The officer in question was protected; he is still in office and will remain there, unless he should do anything to warrant his dismissal. As long as officials conduct themselves properly, they will not be disturbed, no matter by whom appointed. I have no doubt the papers will show

Mr. DAoust.

that politics had nothing to do with the action of the Government in this matter.

Mr. DESJARDINS said he had a word of explanation to say to the hon. member for Laval, who appeared not to have perfectly understood his (Mr. Desjardins) remarks. He had not the intention of attacking in any way the merits of the last report on which the dismissal of Dr. Duchesneau was based. One of the great causes of the evil that existed now was due to the fact that the penitentiary was under the immediate control of the Minister of Justice, who could not attend to the management of this institution; and until a board of directors be named to control its affairs, every year will see the same inconveniences and complaints arise.

Mr. LAURIER. It is evident from all that has been said here up to the present time, that it is premature to discuss the dismissal of Dr. Duchesneau at this juncture; in my opinion, it is doing an injustice to Dr. Duchesneau to speak of his dismissal, and to seek to justify it in the manner that the hon. member for Laval seeks to do. Simple justice requires that before condemning him, the documents upon which the Government decided to dismiss him should be laid before the House; in my opinion, the hon. member for Laval had no right to speak of Dr. Duchesneau as he has done, and if I take the hon. member for Laval literally at his word, I am obliged to believe that he has been misinformed with regard to the greater number of charges he has brought against Dr. Duchesneau, because he has been misinformed in the case of at least one charge that he has preferred against him. Among other things, the hon. member for Laval has accused Dr. Duchesneau of dismissing a certain number of minor officials because they had conspired to bring about the dismissal of the surgeon of the St. Vincent de Paul Penitentiary. If I have well understood the words of the hon. member for Laval—and I believe I am not mistaken—he charged Dr. Duchesneau with having at a certain date, to wit, after the investigation held in the matter by Mr. Moylan, dismissed these officials out of revenge, whilst under the influence of a feeling of his responsibility towards the Government. Now, I say that the hon. member for Laval has been misinformed on this point, and I may conclude that, if he has been misinformed in one case, he has been misinformed in other cases. When I say that he has been misinformed, I can prove it by the report of Messrs. Taché and Miall, because in the report made by these gentlemen, instead of charging Dr. Duchesneau with dismissing these minor officials, as the hon. member for Laval pretends—

Mr. OUMET. Dr. Duchesneau dismissed those employees the day after the adoption of the report—the moment he had heard of its adoption.

Mr. LAURIER. Well, then, if he did so, it was at the suggestion of the Commissioners. This is what the report says:

"In connection with this subject, we think it our duty to mention an occurrence which took place some time ago, in which three or four under-officers allowed themselves, as it were, to be enlisted into a sort of conspiracy against the superior officers of the institution; the medical attendant; and at the request of a party outside the walls of the penitentiary, they were induced to sign communications conveying unfounded charges and false statements in regard to this physician, which they themselves afterwards admitted to be such. Upon their admission of guilt, they were, through the generous pardon of the person thus offended against, retained by the warden, and are reported by him to have, since that date, given no cause of complaint. We could not pass by the incident unnoticed, or without recording our condemnation of an offence which, being in itself a grave moral wrong, showed, at the same time, on the part of the wrong-doers, a fatal want of proper *esprit de corps* which should animate a body of men who, above all others, have to rely, sometimes in the face of great perils, upon the honest dealings towards and generous help of each other. Notwithstanding the generosity of the superior officer in overlooking and freely pardoning those implicated we doubt the wisdom of retaining in position men who had proved themselves so utterly recreant to even the commonest decencies of social intercourse."

Well, if Dr. Duchesneau dismissed those four minor officials the day after the report was adopted, that is no reason to condemn him, he is not to be blamed for it to-day, because in doing so he was simply carrying out the wish of the Commissioners appointed by the Government.

Mr. McDONALD (Pictou). I do not rise for the purpose of justifying the action of the Government in this matter. I prefer to let the papers, when produced, speak for themselves. I simply rise to notice, briefly, some of the observations made by my hon. friend, the member for Terrebonne (Mr. Masson). It is quite true I was aware that the hon. gentleman was a friend of the late warden of the St. Vincent de Paul Penitentiary—that is a friend in the sense of having sustained an officer in whom he had confidence, as regards his integrity and competence. But I think Dr. Duchesneau did not require the strong arm of anybody, much less that of my hon. friend, to encircle him while an officer of that institution. So far as I was concerned, he had, as a public officer, the entire confidence of myself, the head of the department, and in this respect was fully sustained; and, so far as I am aware, he also enjoyed the confidence of the only officer of the department having any official intercourse with the institution. I never allowed, at any one time, or under any circumstances, any political relations of Dr. Duchesneau—in fact, so far as I have learned anything of them; it has been from the member for Terrebonne himself—to influence my action. I knew nothing whatever of those relations. I found he discharged his functions with credit, integrity and ability, and I gave him the confidence which, as head of the department, I was bound to extend; and I will undertake to say that I believe, if he were appealed to, he would confirm my statement. But, no matter what the character of such an officer may be, or in what position he may stand, when charges are made of a character affecting his relation with the institution over which he presides, and which may be of a personal character, as well no matter what confidence he may enjoy—I believe it my duty to take the course I did in this case, to make an enquiry, to ascertain whether the allegations made by respectable authority are well founded or not. That was the course I took, and I submit it was a proper and just one. Then the result of the proceedings taken in consequence of that determination on my part was of such a character that, without saying one word reflecting on Dr. Duchesneau, as to render it expedient that he should no longer continue in his office, I shall gladly, at the suggestion of the leader of the Opposition, lay the papers on the Table at the earliest moment. They are very voluminous, however, and I shall be obliged, in order to give the House an opportunity of investigating this question this Session, to bring down the original papers, rather than spend time making copies. I entirely concur in the observation of the hon. gentleman, as to the responsibility attaching to the head of the department in relation to the discipline and power which a warden of such an institution ought to exercise in all cases, and in regard to his subordinates in the penitentiary. The law casts upon him the onus, the responsibility of appointing a large number of the guardians and other officers of the institution. I quite concur with the leader of the Opposition that in no sense ought the authority of the warden to be interfered with, and that, being given to understand he is held strictly responsible on account of those officers, their appointment, and dismissal, and censure, whatever course he thought proper, he should be allowed to pursue. On that principle I have acted since I accepted my present position, and I quite agree with the hon. gentleman as to what the law and the proper administration of the department in this respect requires at my hands.

Mr. HUNTINGTON. Perhaps the hon. gentleman and the Government are exercising proper prudence in abstain-

ing from giving the House any indication of their opinion of the merits of this controversy. But it must occur to the House that it was a very painful position for a gentleman—who, at least, was respected, judging from statements during this discussion—till lately, to find himself in, that circumstances should seem to have been disclosed which warranted his dismissal. It is, at all events, a misfortune to that gentleman that some time must necessarily elapse before the country will be in a position to judge of the circumstances of his dismissal. It is not for me to express any views on the merits of the question, unless, perhaps, to speak of my deep regret that Dr. Duchesneau should be placed in his present position before the country. If I had absolute confidence in the professions of the hon. Minister who sits opposite me, that nothing but a strict regard for the administration of public affairs ever influence him in his action, I might feel unhappy at the thought that Dr. Duchesneau was ruined. If I did not know the circumstances in this case, I might accept the conclusion that he must be guilty of some unfortunate criminal act that made it necessary to discharge him. But I know that it sometimes happens that peculiar pressure comes upon Ministers from the Province of Quebec, compelling them to make dismissals sometimes even against their own will, and that they are not very buoyant, hopeful and enthusiastic in defence of their position. I think the House and the public may fairly hold in abeyance their judgment upon this particular case until the papers are before us. Having listened to the member for Laval, who charges Dr. Duchesneau with having stated at St. Vincent de Paul that he thought the member for Terrebonne would protect him, I think this is the chief offence mentioned. It may be possible, however, that the House and country will take a different view of this gentleman's conduct in the matter, from that of the hon. gentleman. For myself, speaking from my knowledge of the member for Terrebonne, I have confidence in his ability, integrity and justice, and that he would have said at any time to this Government, in case of unfair attacks on any officer, that he would not join in them. I would not have considered the doctor's remark any crime, because it simply showed the confidence in the member for Terrebonne that everybody would have expressed. After listening to the hon. gentleman's remarks, including those respecting a former investigation, and the motives which induced him to shield Dr. Duchesneau, under a sense of the position in which he stood—because he was not a partizan of hon. gentlemen on the Ministerial side—I confess that, while not prepared to pronounce a judgment upon what has happened—yet, knowing the influences that prevail in my Province, and the disposition, I think the unfair disposition noticed in it, towards political opponents—and having listened to what the hon. gentleman said as to his motives for doing what he did—I should say to the House, and to those interested in the welfare of the penitentiary and of the service, we may fairly wait a little before coming to a conclusion, apprehensive, at the same time, of discovering another instance of the dismissal of a gentleman through the pressure of persons opposed to his political opinions.

#### VENTILATION OF THE HOUSE.

Mr. ROCHESTER moved that a Committee be appointed to investigate and thoroughly examine into the method of ventilating the Parliament Buildings, and also the source whence fresh air is brought into the buildings, and as to their sanitary condition generally, and that the said Committee have power to send for persons and papers, and sit during the recess and to examine into systems of ventilation and hygiene adopted elsewhere, and also to recommend to the Government to appropriate such amount as may be deemed necessary for carrying out a thorough plan of ventilation of the whole buildings; and that the following

gentlemen compose the Committee, namely: Messrs. Plumb, Orton, Charlton and Grandbois; and that a Message be sent to the Senate requesting that their honors will unite with this House in the formation of a Joint Committee on the subject. He said: In making this motion I may say that I believe that the majority of the hon. members of this House agree with me in thinking that some change should be made in the ventilation of this building, though there will no doubt be a difference of opinion as to the means which should be adopted to bring about this change. I think there were some statements made in the report of the engineer in charge of these buildings, which was presented by the Minister of Public Works the other day, that were not exactly correct. In this room there are, I believe, some half-a-dozen thermometers placed within five or six feet of the floor; the object in placing them there being to maintain a uniform temperature throughout the room of from 60° to 62°. The great trouble is, however, that while the temperature of the air may be uniform where the thermometers are hung, a cold draught of air often circulates on the floor, when this House and the galleries are crowded, as they frequently are. In this respect at least the ventilation seems to be defective. As I am neither a mechanical nor a civil engineer, I do not pretend to suggest a remedy, but I certainly think it is time a change is made; for if one-half or one-fourth the statements which are made by eminent scientific men on this subject are correct, we must be suffering fearfully from the effects of the bad atmosphere. The engineer of the buildings states that he can remove the air from this room and replace it in 17 minutes. I do not say that this cannot be done, but I very much doubt it. I may say that since putting this notice on the paper I have had a conversation with the Minister of Public Works, who informs me that it was the intention of the Government to place a sum in the Estimates for the purpose of securing the better ventilation of the Chamber, and under those circumstances I have no desire to press my motion. I wish to remark, however, that in 1872 or 1873 a Committee was appointed upon this very subject, and though its recommendations were ignored, I have been told by members of that Committee that had the changes they suggested been carried into effect a very great improvement would have taken place. The Government may rest assured that not only among the members of this House, but among those who throng the galleries to listen to the discussions, the impression is wide-spread that the illness of so many members of the House is due largely to the defective ventilation of the building. I have no doubt that, as an hon. gentleman hinted the other day, there may be some other circumstances which, perhaps, may cause the illness of some hon. members, but I have equally little doubt that the bad ventilation has something to do with the matter.

Mr. LANGEVIN. I have just a few words to say in regard to the remarks of the hon. member for Carleton. I do not think that his motion is in order; but, apart from that, I may say that the necessary means are being taken and will continue to be taken to secure the best possible ventilation of this building. As I stated to the hon. gentleman, it is the intention of the Government to ask a vote of money from Parliament to help us in doing that. I must say that our efforts have been mainly confined to the ventilation of this room, and that the corridors and lobbies and the large rooms in the building have not been properly ventilated. As I stated the other day, they were arranged for another order of things, and Confederation having taken place and the number of members having been nearly doubled, a change is required in the disposition and ventilation of the building. Our intention is to do that. I do not think that a Committee could do much more than the scientific men whom we will have to employ to render us assistance. Under these circumstances the House may

Mr. ROCHESTER.

rest assured that the Government will do all they possibly can to meet the wishes of hon. gentlemen.

Mr. COCKBURN (Muskoka). I would like to call the attention of the Minister of Public Works to the fact that it is not alone the ventilation which is at fault. We in this corner of the room have, perhaps, a different experience from other hon. members, but whenever a wind blows from the north-west we feel a cold draught strong enough to quench a candle. I am inclined to think that the late member for Carlton, N.B. (Mr. Connell), fell a victim to that draught. This is a question which, aside from the ventilation of the Chamber, the hon. Minister of Public Works should take into consideration.

Mr. LANGEVIN. I am glad the hon. gentleman has given me the hint; but, as he knows, I have not power to restrain the winds, and if he feels the force of the north-west wind in his corner, I can assure him that we here have reason to complain of the wind from the south-east. Although the matter is a difficult one to regulate we will do the best we can. We cannot have perfect ventilation in the House without more or less draught, so that hon. gentlemen will have to submit to some little inconvenience in that respect, though we will endeavor to reduce the draught to a minimum.

Mr. COCKBURN. I cannot accept the explanation of the hon. gentleman, for I cannot see why this Chamber cannot be ventilated without draughts, if private residences can be so regulated.

Motion withdrawn.

#### CONTROVERTED ELECTIONS ACT.

Mr. BLAKE moved for a statement of the dates of the following proceedings with reference to each election to the House of Commons which has been followed by a petition under either of the Acts, for the trial of Controverted Elections before Judges:—1. Date of polling; 2. Of return; 3. Of publication in *Gazette* of return; 4. Of filing petition; 5. Of service thereof; 6. Of answer thereto; 7. Of commencement of trial; 8. Of termination of trial with a statement of the number of days actually occupied therein; 9. Of delivery of judgment; 10. Of transmission of judgment to proper officer; 11. Of Speaker's action thereon; 12. Of first proceeding in appeal; 13. Of setting down for appeal; 14. Of day for which the appeal was set down; 15. Of commencement of hearing of appeal; 16. Of conclusion thereof; 17. Of delivery of judgment, in appeal; 18. Of transmission thereof to proper officer; 19. Of Speaker's action thereon, together with like information as to any appeals which were not final. He said: There has doubtless been an improvement in point of the time at which election trials have been concluded since the passing of the two Controverted Elections Acts which have been placed upon the Statute-book. Nevertheless, I think it will be generally agreed that there is considerable room for reform in the way of expediting the decision of these trials. A very marked contrast exists in this particular between what we have been able to accomplish and what has been accomplished under the English Act. We have hardly received the news of the polling at the late British election before we began to receive account of members who were unseated. Trials followed very shortly after the polling, and the decisions almost immediately upon the trials. I think that both with reference to the trial before the Court of first instance, and also with reference to the procedure in appeal, there is room for reform. It is true that the law provides in a marked manner, that it shall be the duty of the Judge to prosecute these proceedings with rapidity, but there are some defects in the regulations, or in the practice under them, which has resulted in a very dilatory proceeding in many cases. I think that legislation upon this subject, which will probably take place to some extent on other

points before the close of this Parliament, might be well preceded by a return such as that I have moved for, which will give us the dates of the various proceedings that have taken place, and the practical working of the Act in this regard.

Motion agreed to.

#### GRADUATES OF THE MILITARY COLLEGE.

Mr. BLAKE moved for a statement of the names of the graduates of the Military College holding first-class and of those holding second-class certificates obtained in the last annual examination; of the names of those who have gone into the British army; of the names of those who have been employed by the Canadian Government; of the names of those who have left Canada for the United States, and of the residences and occupations of the remainder, so far as ascertainable. He said: As far as I understand there were some fourteen persons who obtained first and second-class certificates at the Military College at the last examinations. From such information as I have been able to get, I believe four of these have left our shores and joined the British army. I have been told that two at least have gone to the United States. I am not aware that any hold positions under this Government, although I believe there have been several applications for situations in the Civil Service. I think it important that we should know, as far as we can, the situations of those to whom we have given this very good general and technical education at this institution, and it is with that view I ask for this information.

Mr. CARON. I shall be glad, indeed, to bring down all the information which is in the possession of the department on the point referred to by the hon. leader of the Opposition. Four of the successful competitors at the examination have been recommended for admission into the British army in those posts which the British Government placed at the disposal of the Canadian Government. Of course, information concerning these can be easily obtained. As to information concerning the cadets who have left Canada for the United States, it may not be in the power of the department to furnish it, but such as we can obtain will be placed at the disposal of the hon. gentleman.

Mr. BLAKE. I venture to suggest to the hon. gentleman that it would be well to make such arrangements as are practicable, with the consent of the cadets, for obtaining such information in the future. If we are giving these persons this excellent training for a particular purpose, it is just as well that we should know their whereabouts afterwards, in case we wanted to call upon them.

Motion agreed to.

#### CASCUMPEC HARBOR.

Mr. HACKETT moved for copy of engineer's report of survey made at Cascumpec Harbor, Prince County, Prince Edward Island, during the summer of 1880, with a view to improving said harbor, together with copies of all letters and other correspondence received by the Department of Public Works since the 1st February, 1880, having reference to the same subject. He said: This harbor is a very important one, and is the only harbor of refuge on the north side of Prince Edward Island. Some years ago this harbor would admit vessels of a heavy draft of water, but owing to the formation of sand there at the present time, vessels drawing nine or ten feet of water cannot enter. This is a great evil for that part of the country. Any person who is acquainted with the north side of Prince Edward Island, will understand that when vessels are caught in a storm by the north-east winds, not having a harbor of refuge in which to go, they are driven ashore. During the last few years great loss of property has occurred and serious loss of life. Since 1875, eight or ten vessels have been lost owing to their

not being a suitable harbor of refuge; they were driven ashore, and vessels and crews were both lost. This matter was brought to the notice of the Government during the late Administration, and the Minister of Marine and Fisheries, who then represented Queen's County, Prince Edward Island, spoke in reference to the matter as follows:—

"Years ago, vessels ran to that harbor for shelter, but now, the water was so shallow that not above three or four vessels a year sheltered there. The whole of the trade of that district had been destroyed, ships had been lost there and all hands drowned within the last few years, and something should be done for this harbor."

This was the opinion of the hon. gentleman in 1878. Unless something is done soon for the improvement of this harbor, the trade of that part of Prince Edward Island will amount to little or nothing. It is the western terminus of the Prince Edward Island Railway, and it is the only point west of Summerside where a deep water harbor can be had. American fishermen, who carry on their business on the northern side of the Island, might make use of the harbor very largely for shelter in case of storm and for landing their cargo, and thus the harbor, if improved, would be a great source of revenue. There is a sand bar at the mouth of the harbor, which is continually shifting, and something should be done to concentrate it and thus deepen the water. Thirty or forty years ago two outlets were cut in this bar, and the flow of water through the main channel was consequently greatly reduced; but it is the opinion of engineers that the closing of these two outlets would be sufficient to deepen the water. There is a rock bar within and not very far from the sand bar, and I believe the engineer has reported in favor of blasting that, thus removing it and increasing the depth of the water. At the early part of the Session I had strong hopes that some provision would be made in the Estimates for the improvement of this harbor, and I am very much disappointed that nothing has been done. This is not merely a local matter, but one concerning the whole trade and navigation of the Dominion, as it is well known that the fisheries on the north shore of Prince Edward Island are very valuable, and that vessels from all parts of the Maritime Provinces prosecute their business there and would use this harbor. In the interests of the fishing industry of the Maritime Provinces, of humanity, in the saving of life, and of the trade of the northern part of Prince Edward Island, I hope an appropriation will be put in the Supplementary Estimates for the improvement of that harbor.

Mr. POPE (Queen's). There is no doubt that this harbor is a very important one. It was formerly frequented by American fishing schooners, as it is the only harbor on the north side of the island except one which schooners could enter. As the fishing schooners are larger and have a greater draft of water than formerly, it is not safe for them now to enter that harbor, owing to the sea breaking over the bars. There are two bars there—the outer being a sand bar with about 9 feet of water, and the inner a rock bar with about 12 feet of water. There is very little use of dredging the sand bar, because it is a sort of quicksand which shifts at every storm. Two or three channels have been cut through that sand bar, and there is not as much water running through the main channel, or the same scour that there used to be. If these channels were closed, and the water were driven through the main channel, I am satisfied, from the experience of the past, that there would be plenty of water there. I do not think it would be sufficient to cut away the rock, as the outer bar is a mile beyond it. I do not know whether the Minister of Public Works will see his way clear to putting an amount in the Estimates this year for this work, although I should be very glad if he would do so. I hope, however, that he will endeavor to ascertain from the highest authority what are the best means of improving the harbor, as I should not like to see any money expended unless it would result in some good.

Mr. LANGEVIN. This matter has not been forgotten by myself or my colleagues. We would have certainly forgotten our duty if we had lost sight of this matter, because the hon. gentleman brought it several times to my notice. Whatever good will we may have, we cannot, however, do everything in one year. We have to see what are the works called for in the different parts of the Dominion, and then decide which of these works should be undertaken now, and which delayed. Under the circumstances, this harbor, though I understand the importance of the work, may have to stand over, though I am not in a position to say to-day it will have to stand over until next year. We may be in a position to ask Parliament in the Supplementary Estimates for a vote for this; nevertheless, I cannot promise that, first, because it would not be my duty to do so before the matter was laid before the Council, and, secondly, because I have no right to anticipate the vote of the House, though the matter will be looked into again.

#### COLCHESTER LIGHT-SHIP.

Mr. PATTERSON (Essex), in moving for copies of all telegrams and correspondence relative to the loss of the Colchester Light-ship and to the application of the owners of the said light-ship for indemnity, said this light-ship had been stationed at Colchester Reef, which is the most dangerous point in our inland navigation from Kingston to Thunder Bay. The light-ship owners were originally paid by the underwriters and shipowners interested in the inland navigation; but of late years that source of income had entirely ceased, and some nine years ago the Dominion Government gave the owners \$500 per year, for some years, as indemnity. Three or four years ago that amount was increased to \$700. It is contemplated now to build a lighthouse on that reef at a cost of \$20,000, which, at 4 per cent. interest, would entail an expenditure of \$800 a year. The services of the men employed will cost \$800 to \$1,000 more, which, with the other necessities for oil, &c., will raise the amount to about \$2,000 a year; while the owners of this light-ship, which is to be replaced by the lighthouse, received, at the highest rate, but \$700 a year from the Government for the same service. During the severe gales at the beginning of the winter, the officers in charge of the light-ship, telegraphed the hon. Minister of Marine, asking permission to withdraw. They received an answer notifying them to remain at their post. The consequence was the light-ship was driven from her position by the ice, the men were rescued with difficulty by a passing steamer, the vessel was cut in two by an ice shove and went to the bottom. These men who lost their vessel in the Government service ask for some indemnity for their loss. All they received from the Dominion for the last three or four years was \$700 per year, out of which they had to furnish stores, oil and other necessities to rig out their ship. In November last when I first heard this light-ship had gone adrift, I telegraphed down to the Department of Marine to authorize the employment of a tug to go to the rescue of the vessel. Had that authority been given the vessel would have been rescued at a cost of \$150 or \$200, but the department did not consider it was justified in spending any money to rescue the property they had chartered and to save the men who had served the interests of the department so faithfully for a long period of years.

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

#### AFTER RECESS.

#### PRIVATE BILLS.

The following Bills were considered in Committee and reported:—

Bill (No. 7) to incorporate the Wrecking and Salvage Company of Canada.—(Mr. Gault.)

Mr. POPE (Queen's).

Bill (No. 15) to incorporate the Metropolitan Fire Insurance Company of Canada.—(Mr. Beatty.)

Bill (No. 34) to incorporate the Dominion Salvage and Wrecking Company, with which has been amalgamated Bill (No. 22) to incorporate "The St. Lawrence Wrecking and Salvage Company of Canada."—(Mr. Girouard, Jacques Cartier.)

#### GRAND TRUNK RAILWAY.

House resolved itself into Committee on Bill (No. 21) respecting the Grand Trunk Railway Company of Canada.—(Mr. Kirkpatrick.)

(In the Committee.)

On clause 4,

Mr. WALLACE (Norfolk) moved in amendment that the third and fourth lines of the word "vote" in the fifth line be stricken out, and the following substituted in lieu thereof: "sanctioned by the votes of a majority of each class of shareholders of said company affected thereby." He said that it would be unfair to legislate away the rights of the people without giving a chance of consenting.

Mr. KIRKPATRICK said that this amendment had been discussed in the Railway Committee where it had been rejected. The proposed Bill was simply intended to clear up some doubts which had arisen since 1873 with regard to the payment of dividends upon the preference stock of the company. It would be giving the third preference stockholders the right of saying what dividends should be paid to the first and second stockholders. They would be giving them a most unfair advantage. The Bill had been very fully considered in Committee, and the promoter of this Bill had stated that he could not accept the amendment now proposed.

Mr. WALLACE said they were not legislating for the Bill, and if the Bill passed in its present shape a gross injustice would be done to the third preference stockholders.

Mr. KIRKPATRICK raised the point of order that no amendment could be proposed to any Private Bill in Committee of the Whole House, or on the third reading of the Bill, unless one day's notice of the same was given. No notice having been given of this amendment, he submitted that it was not in order.

The CHAIRMAN sustained the point of order.

Bill reported.

#### CORDWOOD ON THE ST. FRANCIS.

House resolved itself into Committee on Bill (No. 2) to regulate the floating of cordwood on the navigable portion of the River St. Francis.—(Mr. Vanasse.)

Bill reported with amendments and concurred in.

#### SECOND READINGS.

The following Bills were read a second time:—

Bill (No. 16) to explain and amend the Act to authorize the transfer of the Windsor branch of the Nova Scotia Railway to the Western Counties Railway Company.—(Mr. Cameron, Victoria.)

Bill (No. 63) to incorporate "The Montreal Board of Trade and Exchange" (from the Senate).—(Mr. Girouard, Jacques Cartier.)

#### WRONGS TO CHILDREN PREVENTION BILL.

House resolved itself into Committee on Bill (No. 46) to prevent and punish wrongs to children.—(Mr. Richey.)

Mr. McCARTHY said he thought the Bill should only apply to wire-walking, dancing, and things of that kind. He did not think that playing musical instruments should be made a misdemeanor.

Mr. RICHEY said he was not willing to abandon the tenth clause because it really provided the only means by which the Bill could be carried into effect.

Bill reported.

#### WORKSHOPS REGULATION BILL.

Mr. BERGIN moved the second reading of Bill (No. 6) to regulate the hours of labor in the workshops, mills and factories of the Dominion of Canada.

Mr. CAMERON (South Huron). The House ought to have some explanation of this Bill before it receives its second reading. It contains about 200 clauses, some of them involving very important and difficult questions. A Bill of this kind ought to receive some consideration before going to its second reading.

Mr. PLUMB. This Bill was brought before Parliament last year, and my hon. friend, who is a professional gentleman, if he has any objections to this Bill, should have been prepared to make them now. I think it is unfair to the hon. gentleman who presented the Bill, which is avowedly for philanthropic purposes, to be met at the outset by such a captious objection. I believe this Bill to be in the interest of humanity and morality, and consequently in the best interest of the country. I do not know whether my hon. friend from Cornwall intends to press his Bill, but I may say that I am perfectly in accord with its general principles, and when the time comes to advocate that Bill, and to ask Parliament to pass it, my hon. friend will find me at his side ready to assist him in giving effect to the philanthropic object with which he has brought in this Bill.

Mr. LANGEVIN. This Bill is a very lengthy one and will require a great deal of consideration. No doubt the hon. gentleman himself has given to this matter a great deal of consideration, and he desires great credit for having brought it before Parliament. But I think that a measure of this kind ought first to be referred to a Committee, with power to send for persons and papers, and an enquiry into this matter will be a lengthy and a very costly one. It is, nevertheless, a matter that requires investigation, and I have no doubt the hon. gentleman will feel that, having done his duty in bringing the matter before Parliament, and considering the late period of the Session, he may now allow it to stand over till next year. In the meantime, the Government will be prepared during recess to name a Commission of enquiry, to obtain the necessary data and information, so as to be able next Session to meet Parliament, either with a Bill, or at all events, to co-operate with the hon. gentleman when he brings this or a modified measure before Parliament.

Mr. BERGIN. The object for which I introduced this Bill has, to a certain extent, been accomplished by the remarks that have fallen from the hon. the Minister of Public Works. The early part of the Session was taken up entirely by the Pacific Railway discussion; and it was only within a few weeks that it was possible to reach a measure of this kind. The Government looked upon it as so important and deserving so much consideration that, at their instance, I postponed from day to day bringing forward this measure, a measure that I looked upon as essentially in the interest of this country. I accept the suggestion of the Government with the greatest pleasure, because I feel that there is very great force in the remarks made by the hon. the Minister of Public Works. He has pointed out what must be patent to everybody in this House that, at this late period of the Session, it would be impossible to bring witnesses here and enquire thoroughly into the question during the short period that remains to us. I am sure the House will learn with the greatest pleasure, as I do, of the intention of the Government during the recess to institute an enquiry into

this question, and if it be found, as I hope it will be found, that there is no great necessity for this legislation, why, Sir, we, who have been laboring under the idea that it was necessary, will feel great relief. If, on the other hand, it be found that I have been correct in my belief that there is necessity for this legislation, then we shall be able to legislate next Session intelligently. It is always well that in legislating for the future we should look into the past, and that legislation should be preceded by an enquiry. I concur heartily with the Government in their suggestion, and under all the circumstances I consent to withdraw the Bill.

Bill withdrawn.

#### INDEPENDENCE OF PARLIAMENT.

Sir RICHARD J. CARTWRIGHT, in moving the second reading of Bill (No. 9) for the better securing the Independence of Parliament and for the prevention of corruption, said, the object of the Bill is simply this: We have very recently decided on creating a corporation of a very remarkable character. To this corporation we have given privileges and powers such as have never been given to any corporation I have heard or read of before. There are certain obvious and plain reasons which are contingent on the granting to any such body of such powers as we have bestowed upon it, and these reasons, in my judgment, greatly intensified by the fact that the corporation we have created is really and truly in the main a foreign corporation, or so intimately connected with a foreign corporation, that I am justified in describing it as such. And, moreover, it is quite within the power of the persons possessed of that charter to hand over to foreigners all the franchises, powers and privileges which have been granted to them. Under these circumstances, and bearing in mind that there will, in all human probability, arise conflicts of interest between the people of Canada and the corporators, I feel that it would be only just and proper on our part to attach certain serious pains and penalties to the abuse of their powers by any of these corporators, as other corporations have been known before to do, and attempt to use the very powers which this Parliament has entrusted to them, for the purpose of corrupting or interfering with the course of legislation in this country. Due precautions are undoubtedly needed in a case of this kind. Existing precautions have proved futile. Were I so disposed, which at present I am not, to revert to our past history, I could produce evidence to show that even in Canada such risks and dangers have not been altogether unknown. But I prefer, in order to present the matter fairly before the House, to refer to the proofs derived from the experience of the neighboring Republic, as to what practices such corporations had been in the habit of indulging in. In 1873 the New York Legislature caused a Commission to be issued for the purpose of investigating the proceedings of the various railroad corporations carrying on business in that country. Here is an extract from the report of that Commission, in which they refer in particular to the doings of the somewhat notorious Erie Railway. A report of a Committee of the same Legislature appointed in 1879, remarks:

"It is further in evidence that it has been the custom of the managers of the Erie Railway, from year to year in the past, to spend large sums to control elections and to influence legislation. In the year 1868 more than one million (\$1,000,000) was disbursed from the Treasury for 'extra and legal services.' For interesting items see Mr. Watson's testimony, page 336 and 337.

"Mr. Gould, when last on the stand, and examined in relation to various vouchers shown him, admitted the payment during the three years prior to 1872 of large sums to Barber, Tweed, and others, and to influence legislation or elections; these amounts were charged in the 'India-rubber account.' The memory of the witness was very defective as to details, and he could only remember large transactions; but could distinctly recall that he had been in the habit of sending money into the numerous districts all over the State, either to control nominations or elections for Senators and members of Assembly. Considered

that, as a rule, such investments paid better than to wait till the men got to Albany, and added the significant remark, when asked a question, that it would be as impossible to specify the numerous instances as it would to recall to mind the numerous freight-cars sent over the Erie road from day to day."

The report concludes in these words:

"It is not reasonable to suppose that the Erie Railway has been alone in the corrupt use of money for the purposes named; but the sudden revolution of the direction of this company has laid bare a chapter in the secret history of railroad management such as has not been permitted before. It exposes the reckless and prodigal use of money, wrung from the people to purchase the election of the people's representatives, and to bribe them when in office. According to Mr. Gould, his operations extended into four different States. It was his custom to contribute money to influence both nominations and elections."

A report of a Committee of the same Legislature appointed in 1879, remarks:

"The political influence of these corporations should be understood. Not less than 30,000 voters are in the direct employ of the railroads of this State—a number sufficient to have turned the scale in any election in recent years. These employees are doubtless divided in political sentiments, yet in times like the past and the present the question of remunerative employment is of paramount importance to the individual employed as compared with the success of either party. The political sentiments of corporations have been aptly and truly described by a prominent railway man who testified: 'In a republican district I was republican, in a democratic district I was democrat, in a doubtful district I was doubtful; but I was always Erie.' The possible exercise of this most political power, direct and indirect, not to discuss its exercise in the past, seems to your Committee an unanswerable argument in favor of instituting governmental supervision of railroads and holding them in their management to a strict accountability."

Now, Sir, this House has chosen to create a gigantic corporation and to confer upon it most gigantic powers. I propose that a broad and clear line of demarcation shall be placed between ourselves acting as representatives of the country and the shareholders and directors of this great corporation. I would have them forbidden under very severe penalties having any dealings of any kind, much more to contribute or assist in any kind of way for political purposes, or forward the elections of members of this Legislature or of Local Legislatures. The penalties which I propose by this Bill to inflict upon them are briefly these: Whereas a corporation in their corporate capacity, they should be proved guilty of such practices as those, I would have their charter forfeited. Where in their individual capacity, whether it be as shareholders or directors or officers of the company, they should presume to interfere in any way with the elections of members of this House or any Local Legislature, then I would have them punished directly and personally by imprisonment, by the forfeiture of their stock; or if any other measure appears more desirable to the hon. gentleman, I will be only too willing to receive their suggestions and incorporate them in the Bill. While as regards members of the Legislature, I would render them liable under heavy penalties, and this should apply not merely while they were members of the Legislature, but for a considerable period after they had ceased to be members. The time I have not ventured to specify, but I consider a period of not less than three or five years after a man ceased to be a member of a Legislative body by no means too long a period in such a case as I have described to punish them, should they receive any gift or donation from such Company. Now, as to the probable effect of such a measure. The House must remember in all such cases detection is necessarily very difficult, and we must have regard not merely to the gravity of the crime, which is a very grave one, but also to the difficulties which surround the detection of crime in such cases. One thing is certain, were the House to adopt such suggestions as are embraced in the Bill, they might rest tolerably certain that neither the corporation, nor the shareholders, nor the officers of the corporation would be likely to make themselves liable to such penalties as I have described. They would, moreover, and it is not an entirely insignificant feature in the case, have a very excellent

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excuse for refusing to contribute should they be solicited. A case can readily be imagined, when the corporation having to receive great benefits from the Government or Parliament, and considering that, perhaps, it has very important questions to be voted upon, questions in which they have great interests at stake, they would find it very difficult, unless some such penalties were provided, to refuse a hint or request conveyed to them by men who had the power of granting them very important concessions or refusing them very important favors. The point to which I suppose most objection might be taken is that with respect to the forfeiture of the company's charter. I might remind the House that we already, according to law, at any rate, have the power of forfeiting their charters, as, for instance, in the case of banks, if they transgress the conditions on which they are allowed to carry on their business. I might add, too, that in case—which is not only possible but may easily happen—of this Corporation transferring its whole stock to parties resident in a foreign country, and they having the power to carry on their business in a city situated outside of our territories, the forfeiture of the charter is the only effective punishment we could inflict on such a body. I look upon the question of dealings by the Legislature with great corporations, and particularly with great railway corporations, as our own experience and the history of the United States and other countries show, to be fraught with new dangers of which we had formerly very little experience; and, therefore, I propose, as we have departed from precedent in creating such a company, we should deal with them in a mode which up to the present time has not been found necessary or expedient to deal with other corporations that might come before us. For these reasons, and not desiring at this late stage of the Session to enter into any long explanation as to the details of the Bill, I beg to move the second reading.

Mr. LANGEVIN. I am surprised that the hon. gentleman, who wishes that the Pacific Railway Company should not be at any time in a position to contribute to the election expenses of any member of this Parliament or of the Local Legislatures, has not thought proper to extend the operations of such Bill to all companies. Why should he select this Company especially, instead of other companies? There are larger companies now existing in this country, and new ones are seeking incorporation. Why should not the hon. gentleman have made those companies subject to the same provisions? I do not think the Pacific Railway Company has done anything to subject it to the suspicion that the hon. member for Centre Huron (Sir Richard J. Cartwright) wants to throw upon it. That Company has acted in the most fair way; they have dealt with the Government in the manner which any respectable company would deal with it; they came down, stated their terms, which were discussed by the Government and laid before Parliament. The body was incorporated by an immense majority of both Houses of Parliament; nevertheless, the hon. member for Centre Huron comes down and wants to throw suspicion on it. I must say it is an insult to the Company and to the Parliament that incorporated it. I will not enter into the details of the measure. The best way to meet the hon. gentleman, under the circumstances, is to move an amendment. I now beg to move:

"That the Bill be not now read the second time, but that it be read a second time this day six months."

Mr. PLUMB. I did not suppose that the hon. member for Centre Huron (Sir Richard J. Cartwright) would venture, in view of the recollections which are within the memory of hon. gentlemen on this side of the House, to bring forward such a Bill and introduce it into Parliament. But the hon. gentleman lacks one peculiar quality which, I think, would add very much to his influence as a member of Parliament

He has no sense of humor. If he had, he would probably remember the discussion that took place in 1877, in this House, on violations by hon. gentlemen very high in position on his side of the House, of the Act for securing the independence of Parliament, resolutions so gross that they rang through the country; and when these gentlemen were arraigned by Parliament, a Bill was brought in for the whitewashing of these gentlemen. One of the first to vote on that Act was the hon. gentleman. That hon. gentleman has told us that Gould and Vanderbilt are the proprietors of railways in the United States, and through their means and influence have purchased members of Congress. The hon. gentleman, through his own conscience, places so low an estimate on the morality of the representatives of the Canadian people, that he thinks they are the creatures of railway corporations, and may be purchased by men such as Gould and Vanderbilt. The hon. gentleman in this opinion insults every gentleman who sits in this House. He says he wishes to draw a hard and clear line between ourselves and those who may come here for parliamentary aid. The hon. gentleman had nothing to say in that discussion in the last Parliament, where he was a leading spirit, one of the foremost members of the Government, and when the leading members had been convicted of the grossest violations of the Act of Parliament. He never raised his voice when the indignation of the country was aroused at the gross violations of the independence of Parliament—violations so gross that it was necessary for the Government to bring in a whitewashing Bill to prevent these gentlemen being ruined by the fines they had incurred. He did not raise even a feeble note of dissent at the acts of the hon. gentlemen who then occupied the place of arbitrator between the feeble minority and the great majority—acts of violation so gross that the Minister of Justice had no argument to bring in favor of that hon. gentleman, except that the Act of Parliament provided that anyone who had a contract with the Government, who was receiving money from the Government, who was its subsidiary, was no longer a member of Parliament, and that the very day he became a contractor, his seat was vacated—thus begging the question because that hon. gentleman who was proved to have been a recipient of Government money, sat in the Speaker's chair and dispensed justice between the powerful majority on the one side and the feeble minority on the other. I regret the hon. gentleman has compelled this side of the House, in dealing with his Bill, to bring up his record against him. Now the hon. gentleman says that it is in his interest, and that of the feeble minority he represents, to insinuate that the majority of this House may become in some way or other amenable to some possible violation of the Independence of Parliament Act. By the hon. gentleman's speech, he insults every man that sits in the House of Commons. With regard to the Independence of Parliament Act, I may say that the legislation of 1877 showed that when hon. gentlemen opposite were on the Ministerial side of the House, it was perfectly possible to violate that Act and to be whitewashed afterwards. That Act stands on the record now weakened by the Act of the majority in 1877. So far as originally that Act had force, it was enough. It provided there could be no possible interest given to any member of Parliament in anything outside of what he might legitimately do as a member of Parliament, but what would vacate his seat. But we saw that a Parliament under the rule of the Reform party was packed with contractors. We saw, then, sitting here, many members who owed their particular interest to the fact that they held existing contracts with the Government. How could they vote or be expected to express an independent opinion upon any matter brought in by a Government subsidizing them day by day? We, of the small minority, at the time, caught them in the act. What happened then? Why the Government of that day brought in

a Bill whitewashing those who had been guilty of a violation of the Act—guilty of taking contracts under the Government while elected as independent members of Parliament to sit upon the acts of that Government, thus violating the whole spirit of constitutional government; violating the whole spirit of representative government, and every principle of constitutional liberty; and when detected in the act, what happened? The hon. gentleman who has introduced the Bill, who was one of the foremost members of the Government, brought in a Bill to relieve those gentlemen of the pains and penalties to which they had rendered themselves liable. If a Bill like this is wanted, and we should be so unfortunate as again to be subjected to the rule of the hon. gentlemen opposite, we know perfectly well, from analogy, what will happen again. If the hon. gentleman's friends found the proposed Act a stringent one, they would not be subjected to its penalties; he would be one of the foremost members to bring in another whitewashing Act to relieve them from its penalties. But I can assure the hon. gentleman that this Parliament has not sunk so low as to render it necessary for him to propose such legislation. I thank God there are men on each side of the House to whom legislation of this kind is a taunt, an insult; and I know perfectly well what will be the record in regard to this Bill in view of the record which stands against its author in the damning fact of the Act of 1877.

Mr. HUNTINGTON. If the glowing observations of the hon. gentleman who has just addressed the House mean anything, they mean that the provisions of a Bill which would make it an offence for a member to commit bribery, or receive a bribe, would be an insult to the House.

Mr. PLUMB. Yes.

Mr. HUNTINGTON. They mean besides that, in the event of such bribery there should be no power in the House to inflict punishment. Now I do not feel the force of the hon. gentleman's argument in this respect. I am sure he is of that class of thinkers who really believe that the corruption in this country is all on the one political side. I do not credit the newspapers he reads, and the authors of the stories which appear in them with so much innocence. But he has the habit of expressing such views in such a tone as appeals to my sense of fairness, and so I am compelled to admit, I believe he really thinks what he says. But if he had not attacked a colleague of mine—a gentleman who at the time he speaks of occupied a prominent position in this matter—unfairly and unjustly, I would not have risen on this occasion. While he says that Parliament would be insulted by this Bill, he states that a recent Parliament was packed with contractors.

Mr. PLUMB. So it was.

Mr. HUNTINGTON. He does not hesitate now to insult that Parliament by such a remark. I give him credit in saying that I do not believe he understands the difference, or comprehends that it is at all wrong to insult a body that is opposed to him. I do believe he considers it notoriously wrong to criticize his own party. Such is the facility the hon. gentleman has shown in applying a different rule to different parties. He should have known when he attacked the late Speaker that that hon. gentlemen had committed no offence against the Independence of Parliament Act, except in a legal and technical sense.

Mr. PLUMB. Hear, hear.

Mr. HUNTINGTON. The hon. gentleman says "hear, hear," but with his great legal acumen and skill he should have known that, however perfect was the Independence of Parliament Act, everybody from the day of its first enactment in England, for years past, has found it very difficult of administration, very difficult to mete out justice where deserved, and discriminate against acts of infringement, where really no offence was committed. The hon. gentle-

man should have remembered that, at the time when this subject engaged the attention of the House, when the position of the late Speaker was under consideration—and I am not here to say that the circumstances were not to be regretted—the fact was recalled that a Committee of the Parliament of old Canada, of which Sir John Rose was Chairman, and before which the principle at issue was considered, expressed the doctrine which made such acts possible in this House; and that the principle laid down by their report practically exonerated the hon. gentleman from all wrong doing, but found it necessary that the law should be amended in order to meet what—the particular doctrine on which the hon. member for Niagara takes his stand? Not at all—but the difficulty in which many hon. members found themselves. I am sure that the hon. gentleman does not remember that a single one of his own friends was not compelled to resign in consequence of the violation of that Act. I do not know a great deal about Ottawa county, or whether the hon. gentleman might not have found a defence in speaking of the hon. gentleman from Ottawa; but, so far as I am advised, that was not the only instance in which difficulties arose. But the question having been considered by both sides in Committee, and the wisdom of Parliament having been applied in its settlement, with the concurrence of both parties in both Houses, the hon. member for Niagara now singles out a particular case, and culminates old exploded accusations against an hon. member although the report of a parliamentary Committee is in evidence against his assertions. This is another evidence that the hon. gentleman cannot see both sides of the shield—cannot see through it, and will not walk around to see its second side. It is to be regretted he pursued this course. He alludes to corruption in elections. Nobody pretends there has not been corruption on both sides; but the hon. gentleman should know that it was the party now in Opposition that framed the legislation that made it possible to reach corruption, and improper, and dishonest and corrupt elections. An hon. gentleman says, "Oh," but I do not believe he doubts my statement.

Mr. PLUMB. What is the means to which you refer?

Mr. HUNTINGTON. I gave the hon. gentleman the means used in one election.

Mr. BOULTBEE. You spoke of the means of reaching corruption—what means?

Mr. HUNTINGTON. I mean legislative authority. I mean the machinery by which this purging has gone on as it never went on before. I have seen under the old system, which I dare say the hon. gentleman prefers, year after year parliamentary Committees sitting in cases in which the grossest corruption has been practiced, and after other means of securing delay has been exhausted, the members of these Committees took sick so as to delay the proceedings.

Mr. O'CONNOR. Does the hon. gentleman recollect of a single case in which a whitewashing Act was passed by this side of the House.

Mr. HUNTINGTON. I recollect a great many things of which the hon. gentleman shall hear if he lets me alone, but I have heard nothing which induces me to believe that hon. gentlemen are sincere in their fulminations against corruption. There is nothing in their history to show, whatever may be their individual opinions, that it has not been their settled policy in all time to oppose endeavors to have purity of elections secured by Parliament or the Courts, either by active measures of legislation, by throwing cold water upon such efforts, or by waiting until public opinion forced them to abandon their chosen ground. I say that attempts to suppress corruption are not indignant to their soil, and that they have only been made by these gentlemen to effect

Mr. HUNTINGTON.

a particular object. So far as the Bill before the House is concerned, I have not much to say about it. It is a matter of no particular importance to me—speaking for myself—whether this measure, which the Minister of Public Works chooses to regard as an insult to members of the House, passes as it has been drawn or not. I do not believe that these gentlemen will use their means to corrupt the people of this country; I do not think that hon. gentlemen will be able to draw on them for another ten thousand, or in fact for any ten thousand, but I quite concur with the opinion expressed by my hon. friend on my left (Sir Richard J. Cartwright) when he says that these gentlemen will not always be the incorporators of the Company, that it is possible that so gigantic an enterprise, with such franchises, privileges, and inducements as are presented by the corporation which has been created by this House, may fall into other hands. And I say that it is not at all unlikely, that if such should be the case, that men like Jay Gould, or Vanderbilt, or forty other generous and liberal hearted men like them, may be the successors of this Company, and may send out their money as liberally as they now send out their cars. It may be that interests may arise under this contract—for hon. gentlemen appear to believe that the Bill has special reference to the Canadian Pacific Railway—which would be dangerous to this country, a contract which includes not only the building of that railway but its operation for all time to come. A contract which is in the hands of a Company who will in a certain, and in no inconsiderable sense, own the whole North-West, and who will necessarily exercise an influence out of all proportion to that wished by the Government of this country, if not with regard to the number of its employees, undoubtedly with regard to the amount of influence and the circumstances under which it may be exercised. I say, therefore, that under such circumstances it may be advisable to pass such a measure as the present. To say that it is an insult to those particular gentlemen who compose the Syndicate, that Parliament should have thought necessary, having given them extraordinary privileges, to pass this Bill to protect Parliament from the danger of corruption, is to talk nonsense. I can understand that hon. gentlemen might oppose this Bill on principle, but I do not think that they can make any capital with the Syndicate by pretending that this Bill is an insult to them. I do not think that Parliament should show itself careful of the administration of the affairs of this country, careful of those great affairs which might become monopolies, which might endanger the free institutions of this country, which might jeopardise the very exercise of the franchise of this country, which might even interfere with the independent expression of the opinion of Parliament itself—I say it would be no disgrace to Parliament, and no insult to any class of people. I think, therefore, that hon. gentlemen have gone altogether out of the record in pretending that the operation of this law will apply to the men who happen for the moment to be in power. Let hon. gentlemen look at the history of railways in the United States for the last ten years. Let them look at the manner in which the people of the United States are struggling against the enormous monopolies which prevail there.

Mr. PLUMB. Hear, hear.

Mr. HUNTINGTON. The hon. gentleman says "hear, hear." I believe he has not the slightest idea that railway monopolies can apply to this question. The hon. gentleman sits over there and supports the leader of the Government, and whatever the right hon. gentleman says, he says. I do not know whether he was that member of Parliament who was asked how he was going to vote on a particular question "Oh," he said, "I was sent here to support John A. If John A. is right, then I am right,

and if it is wrong I am not responsible." I believe the hon. gentleman does not at all understand that there is a lesson to be learned from the railway history of the United States, which may apply here. Will the hon. gentleman tell me—because if he leaves aside his partizanship he knows all about this question—will he pretend that he could not name four railways in the United States which, if they choose to-day to exercise their power in unison and if they were willing to coalesce, could not elect the President of the United States? I have seen it stated by high authority that this could be done. I do not know whether it would take two or half a dozen, but these enormous influences that have grown up in the United States, these enormous monopolies that control such immense capital, have become a source of real danger to our neighbors. And while they are struggling to avert that danger it is no insult if they say that they are afraid the president of a railway might by improper means corrupt a constituency or even a Legislature. There are multitudes of people in the United States who believe that some of their legislators are influenced by the enormous expenditure it is possible for railway companies to make—I do not believe that this Legislature, or any Legislature that has sat in this country for years past, could be corrupted by any direct offer. The corruption, if there is any, is the blind adherence which we allow ourselves to devote to those who lead us. I am not going into a discussion of the question of party, but there is no doubt that to some extent both parties are open to criticism in that sense. But it does not follow that because the 210 gentlemen who sit here to-day are all above such a thing as undue influence, it does not follow because every man who sits here to-day would refuse \$ 0,000 for his vote if he knew he would never be found out—it does not follow because we occupy that position to-day we will be liable to occupy it for all time.

Mr. PLUMB. Let the hon. gentleman speak for himself and not for us.

Mr. HUNTINGTON. I am talking to a petulant but a very genial audience, so far as I hear from it. Peppery is not a parliamentary term, but still the fire from the flint does not burn much, as the hon. gentleman told us the other day. I am speaking, not for myself, not for the hon. gentleman, I am speaking generally of what every man of common sense knows is a possibility; I am speaking of the means by which Legislatures and constituencies may be unduly influenced. Does the hon. gentleman wish to tell me that there is a distinction to be drawn between the Conservative party and the Liberal party? Sir, parties ought to be the representatives of principles. Individuals are fallible, except the hon. member for Niagara, and so much so that there has been a petition specially put up for us all, that we be not led into temptation. If the hon. gentleman is above, as I believe he is above, temptation—he certainly is above reflection upon these subjects—I will not say benefit—if he is above it, then the insult cannot reach him. We propose to pass a law affixing pains and penalties to particular offences which everybody knows may be committed—they may not be committed now, they may not be committed for ten or twenty years, but they may be committed. It is no answer to say that to prevent crime or to legislate against improper acts, is an insult to somebody who occupies, at the moment, an official position, and therefore, you undertake to prevent this legislation altogether. Why, you might as well say that if you undertook to legislate that bank presidents should not sign papers of the contents of which they had not been cognizant by an examination of the vouchers, that it would be an insult to all bank presidents; and yet we have had juries in this country who hold, not very long ago, that such remissness did constitute a crime. You might as well say that the public opinion which demanded legislation compel-

ling all bank presidents to take cognizance of the state of affairs in their banks, was an insult to bank presidents. How do you know how long these gentlemen have been in their places as presidents? How do you know how long the officers of any great corporation are to continue where they are? Because the gentlemen who are at the head of our affairs to-day are honest and beyond temptation, that is no guarantee that we shall always have public men beyond the reach of temptation, and that our experience may not some day be that of the United States.

Mr. McCUAIG. In reading this Bill it appears to me to be a reflection upon the Pacific Railway Syndicate. I think my hon. friend who introduced that Bill had no right to reflect upon that Company. It is as much as to say that all the other wealthy corporations of this country are honest and that these men are scamps. Of course we know that banks and railway companies exercise a certain influence in favor of certain candidates, and I do not say that they have no right to do so. Now, if my hon. friend had placed all corporations in the same category, I might perhaps have given him my vote, but as it is I cannot possibly vote for this measure. The third clause reads:

"No person being or having been a member of the Senate or House of Commons shall be allowed to hold or acquire any stock in any company so incorporated or to be incorporated as aforesaid, until years after the said party has ceased to be a member of the Senate or House of Commons unless the same shall devolve on him by descent or by limitation, by marriage or as trustee, legatee, executor or administrator; and any such person so holding or acquiring any such stock except as aforesaid shall be held guilty of a misdemeanor and shall be liable to be imprisoned, with or without hard labor, for a period of not more than two years."

Now, I maintain that is equivalent to saying that a man may not buy such stock without being dishonest, but that he may inherit it and be perfectly honest—a provision which seems to me to be unfair. If a man is necessarily dishonest because he owns or purchases such stock, then there should be provision for his selling it if he should happen to inherit it.

Mr. ANGLIN. The assertion that it is an insult to members of this House to propose that there shall be further provision made to preserve the independence of Parliament is a manifestly absurd statement. It is, in fact, a statement that it is an insult to members of Parliament to have the present Act upon our Statute-book. It is a declaration that no Act should ever have been provided for the purpose of preserving the independence of Parliament, by imposing penalties upon those who may do what would be fairly presumed to influence their votes and conduct in this House. Now, Sir, Parliaments have for many years past—almost for centuries past—thought it necessary to legislate for the purpose of preserving their own independence and putting each individual member of the House in such a position that his motives in supporting any particular measure or line of policy should not be flung open to suspicion of corrupt influence or corrupt purposes. Parliaments quite as respectable as this have felt that, in passing measures of this kind, they would not expose themselves to the reproach of not trusting themselves, or not confiding in their integrity of purpose or of offering an insult to any portion of their body. They felt rather that they were fairly entitled to the thanks of the community for taking measures necessary, or at all events salutary, for the purpose of maintaining the fountains of legislation pure and undefiled. I confess that, with regard to this Bill, there is ample room for question whether it does not go too far in some respects and not far enough in others; and I felt satisfied when the hon. gentleman moved the Bill that there was not the slightest possibility of its being passed under present circumstances. The hon. gentleman from Niagara (Mr. Plumb) chose to make an attack of a personal character upon hon. members on this side, and to assert that when we were on the other side we showed no such regard

for the independence of Parliament; that, on the contrary, we deliberately, wilfully and knowingly violated the Statute then on the books, and that, indeed, we were guilty of what he called the grossest violation of the independence of Parliament. That hon. gentleman sometimes uses strong adjectives when they are scarcely applicable, and his special appeals on a question of that character are not of such value in the estimation of the House or the country as to make it necessary to pay any great attention to them. But when he chooses to be historical he should, at all events, endeavor to be correct. He should have admitted, in the first place, that whatever violations of the Statute were committed, were committed quite as largely on one side as upon the other.

Some hon. MEMBERS. No, no.

Mr. ANGLIN. Quite as largely.

Some hon. MEMBERS. No, no.

Mr. ANGLIN. Quite as largely, I repeat, among the small minority of that time as among the majority; and lists were circulated about this Chamber which, I suppose, everybody saw, and which were probably correct, showing that there were somewhere between thirty and forty members who had knowingly or unwittingly been guilty of violating the Independence of Parliament Act, as that Act was construed by members of the Committee, while three gentlemen of the majority had to resign their seats in consequence of the interpretation of this Act—two members of the Government and myself; three gentlemen of the minority also resigned—the members for Ottawa City, Northumberland, N.B., and Restigouche. The hon. gentleman should have stated that when that charge was preferred in this House, a resolution was moved by the leader of the Opposition at that time, which, after full consideration, was voted down by a large majority; that the enquiry subsequently held was not even suggested by the minority, but was held at the instance of the Government, the hon. member for West Elgin (Mr. Casey) being, I believe, the mover of the resolution to refer the whole matter to the Committee on Privileges and Elections, for thorough enquiry into the law and the facts of the case. That enquiry was held, and it was shown before that Committee, that, in the old Parliament of Canada, some years previously, a Committee, of which Sir John Rose was the Chairman, in its report distinctly held, and the House acted on the report of the Committee, that what was known as an implied contract was not such as should vacate the seat of a member of Parliament, and that interpretation of the law no doubt was acted upon by a large number of members of this House up to the time of the enquiry in 1877. The enquiry then held resulted in a very much stricter interpretation of the Statute, and it was held for the first time by a Canadian Parliament, that implied contracts should render void the seat of a member of this House. With regard to the two members of the Government who had in consequence to resign their seats, everybody who knows the facts must be aware that they derived no profit from their so-called contracts. They had gone into a joint-stock company for the purpose of publishing a party organ in Halifax, and when the change of Government took place, the printing and advertising of the district went there as a matter of course, without any thought on their part. With regard to my own case, the printing and advertising in the city of St. John, were transferred from the papers on the Tory side to those on the Liberal side, one of which was the paper of which I was the proprietor. I no doubt derived some profit from the printing done in the office of that paper, but I had no contract with the Government. The hon. gentleman says they unearthed it; but there was no discovery to be made. My name appeared in the Public Accounts chargeable with the receipt of moneys under these circumstances. Moreover, the Government of the day, feeling that the work should not be continued in that way, had caused it to be discontinued

Mr. ANGLIN.

fully a year before any action was taken by gentlemen of the Opposition, so that at the time the question was raised the newspaper of which I was proprietor had long ceased to do any work for the Government. I believe the Government in that matter acted quite properly. I know I never remonstrated with them, although I do not think I was acting illegally in allowing that work to be done in the office of that paper. These are the facts which the hon. gentleman adduces as evidence of great corruption on the part of those who were at that time in the majority. He says the majority introduced a Bill to whitewash the gentlemen engaged in those transactions. Well, the whitewashing will extend to both sides of the House, and it was owing to the fact that there was a misunderstanding as to the scope and purport of the Independence of Parliament Act that an Act was introduced to make plain those motions of the Act on which there was doubt. It was never asserted that an implied contract was a contract. It was only after the matter was, at the instance of the Government and their friends, at my own instance, referred to a Committee, that it was first alleged and afterwards decided that there was an implied contract, and that it rendered the seat of a member of Parliament void. The hon. member for Ottawa City, if what I heard at the time was correct, was one of the very few who had an actual contract with the Government.

Some hon. MEMBERS. No.

Mr. ANGLIN. I think so. I think there was a contract existing between the firm of which he was a member and the Government for the supply of a quantity of lumber, and under that contract supplies had been furnished for a number of years. I do not think the hon. gentleman had the slightest idea that he was violating the Independence of Parliament Act. The hon. member for Northumberland, New Brunswick, had no idea at the time that he had a contract with the Government, although he was also supposed to have violated the Independence of Parliament Act. This was not a gross case at all of violation of the Act. It was stated, and I believe correctly stated, that the paper of which the hon. Minister of Customs was joint proprietor at that time had done a considerable amount of printing for the Departments.

Mr. BOWELL. The hon. gentleman is in error. The printing ran back ten or fifteen years before I was a member of the House. The Committee charged an account of the *Leader* against me, and of this, I believe, the hon. member was cognizant.

Mr. ANGLIN. I knew nothing about it. I did not interfere in the slightest degree in the proceedings of that Committee, except to appear before it to give my testimony and then withdraw. I had no suspicion, whatever, that the hon. gentleman was amenable to the Act.

Mr. BOWELL. I was to the amount of fifty-two and two-third cents.

Mr. ANGLIN. The principle is the same. The violation to that extent is a violation equally with a larger amount.

Mr. BOWELL. The hon. gentleman would rather have the \$18,000.

Mr. ANGLIN. I would, or the honest profit made on it. The principle was the same in the hon. gentleman's case. It happened that his paper ran under the same proprietorship for some time after he became a member of the House, and thus he became liable to the operation of the Act. The violations described as gross were of an entirely different character, and down to that time nobody contended they were violations. The enquiry was had, in the first place, at my suggestion, but at the instance of the Government, on a motion of

the hon. member for West Elgin. Before that Committee the whole facts were simply and clearly stated, the law was enquired into, and to my recollection the first suggestion implying the contract was one which, under the law, would render a seat void, came from the present hon. member for West Durham. Leading supporters of the Government took the ground that the law had been violated, and as far as the whitewashing Act, as the hon. member for Niagara has called it, was concerned, it was intended to relieve members on both sides of the House who were known to be innocent of any wilful violation, and who could not be accused of having done anything to render the Independence of Parliament Act less forcible or vigorous. I went back to my constituents and was re-elected. Two members of the Government went back, one of whom was re-elected and the other defeated, although not one cent of public money, on account of what is called a contract, went into his pocket, directly or indirectly. What the hon. member for Niagara chooses to say of me, matters very little. The facts were put before the public long ago, and I am satisfied with their verdict.

**Mr. BOULTBEE.** I do not see that the Lon. member for Gloucester has supported the Bill of his hon. friend very strongly, because the only remarks he made about the Bill were to the effect that he thought it contained provisions that, on account of their stringency, did not entitle it to pass. So far as his own case is concerned, he was found out by a Committee of his own friends—

**Mr. ANGLIN.** There was no finding out.

**Mr. BOULTBEE.** To have received a large amount of money under contract with the Government, and the report was kept back until a few days before the close of Parliament. I do not suppose the hon. gentleman thought he was doing anything very wrong at the time; but, at any rate, it came within the cognizance of Parliament, though the report was kept back until Parliament rose, and he was then elected again. No doubt the man who goes back to his constituents with \$18,000 or \$20,000 of Government money in his pocket, stands a better chance than a man who goes before them without that sum; therefore, there was no trouble about the hon. gentleman's re-election. With regard to the Bill, you have to take the utterances of the hon. member for Centre Huron and those of the hon. member for Shefford together, before you can get its true inwardness. If the hon. member for Centre Huron had not been supported by the hon. member for Shefford, we never could have known why the Bill was brought in. While we are bound to admit that the hon. member for Centre Huron is honest in this thing, and brought in a Bill which he thought would apply to himself as well as to others, yet so hopeless seem the chances of its ever being applied to him or his friends, that it is not likely any large sum of money will be spent to secure their influence. But the hon. member for Shefford, in those eloquent tones of his which carry conviction, no doubt to himself if to nobody else, says he does not believe the Bill will be at all necessary at present; he has a very high opinion of the Syndicate—it is said he is somewhat intimately connected with it; but whether he is or not, he affirms the fact that the Bill is not at present necessary, that the members of the Syndicate are honest, square, and straight as are the members of this House. In the far distant time of the future, however, years hence, when all our heads will be silvered with the impress of age, another Syndicate and another House will exist, and some remote descendant of the hon. member for Centre Huron may be approached by the new Syndicate, the descendants of the present one. In his anxiety for the purity of his country in future years, in his desire to keep everything straight and honest, he wants to guard against those remote dangers when either he or his descendants will be in power. My own view as a practical man, is that in cases of this kind our attention should be devoted

to the present. If we can keep ourselves all square and right, if hon. gentlemen opposite can keep us right, and if we, by sitting up all night, can keep the hon. member for Centre Huron straight, we have got all we can do. The member for Shefford wants to know if any distinction should be made between the two sides of the House. He asks the member for Niagara if he wants to make such a distinction, and affirms strongly that there is none. Well, now, we can only form our views on this matter from the facts. It is rather remarkable—I am speaking from memory—that not a Conservative member has ever been disqualified for corrupt practices or personal corruption. No man on this side of the House, I believe, has ever suffered that untoward fate. It is unfortunate for gentlemen on the other side, but they have got to make the best of it. It only shows that those loudest in their professions of purity—and I have no doubt that the members for Shefford and Centre Huron have been very loud while stumping the country—and their claims to this purity belong to a party which has had members disqualified for personal bribery. It may have been through misfortune simply, or an accident, but it is rather peculiar that the accidents have been all on the Opposition side. It does not speak very well for that party. It would seem that until their record was somewhat balanced, and they can show some instances of similar misfortune on the Conservative side, they should be less loud in protestations of purity—less adventurous in bringing in Bills like this, that not only outrage all our sense of right, but our sense of what should be the effect of the constitutional laws we try to enact. This Bill outrages every man's sense of decency. I think that no man in the Canadian House of Commons, where we have men of liberal views and charitable towards their neighbors—men not willing, perhaps, except in the heat of party warfare—and my tongue may be, perhaps, as bitter as that of others—coolly wishes to favor a Bill to be passed in each House, deliberately pointing out every man engaged in a large undertaking as being a man of such a character that it is necessary to protect the country against their efforts by exceptional legislation applied to them alone. Angry words are soon forgotten, but the member for Centre Huron tries to mark those men who may take a certain course—to mark them with a stain of ignominy which will attach to them and their descendants. The slur he attempts to cast upon them, that they are corrupt, would cause them to be spoken of as disgraced by those by whom the proposed legislation would be enforced. He reads some record of what takes place in a neighboring country, which he and his friends so much admire, and of whose institutions they think so highly that a few are in favor of a closer connection with it, and ultimately, perhaps, annexation. But I would ask the House, nearly half of whose members belong to-day, and say if here, in this Canada of ours, with such representatives of the people, there is any danger of one of those great corporations dominating the affairs of this country? Why, an hon. member rose in that Committee and suggested that if the Grand Trunk Railway was going to be interested in a certain Bill, it would have no chance of passing this House. I rose myself and spoke in the Committee on this subject, because I thought it unfair to say anything of the kind. I think those great railway corporations get very scant justice. They are borne down upon every occasion. Far from the danger of their dominating the country, on the contrary there is every desire to curb and keep them down. There is no danger of this House, at any rate, being controlled by those companies. There was one remark that sounded suspicious; made by the member for Shefford. He said, because great privileges are granted to this Syndicate an exceptional law is required; but there never was greater trash uttered in this House. Why are great and extraordinary privileges

given these men? Because they are undertaking a work of a magnitude which stagger the energies of the country, and which made it necessary to give great concessions. I do not think too many were given, but that they needed all received to carry out this great work. Does that render it necessary to attach to them a stigma and enact harsh penalties such as are not fixed in the case of any other corporation? Instead of exceptionally offensive and injurious legislation in that case, they should be relieved of all difficulties and penalties so as to leave their hands free to carry out this great undertaking. The member for Shefford also—but it is scarcely worth noting—threw a species of sneer at the blind adherence to their leaders exhibited by many Conservatives in this House. I have not seen very much of this blind adherence in the carrying on of this party Government. No Government could do its business were it not sustained by a loyal as well as intelligent following. I do not know—I speak for myself, and may be termed by hon. gentlemen opposite a subservient follower of this Government—but I do not undertake to follow them unless they propose measures that fairly commend themselves to my intelligence; and the measures of the Government have been of that kind. No doubt, men in the Opposition ranks are not to be tied by such a harsh rule. They are mere free lances. But surely it does not lie in the mouth of hon. gentlemen on the front Opposition benches to speak of a blind adherence on our part; because there never was a party on the face of the earth that voted so blindly at the beck of their leaders as hon. gentlemen opposite. I will notice one illustration of the member for Shefford with respect to the banks. He said, what would be thought of any legislation with respect to the banks requiring them to do so-and-so, and transact their business in some particular manner and under some harsh restrictions. I reply there would be no objections if the legislation was proper and applied to all the banks; but it would be monstrous to enforce extreme penalties on one particular bank if it did not carry on its business in a particular way, while exempting all the other banks. I say such a measure would not be considered in this House for a moment. It does, then, seem that this Bill of the member for Centre Huron was the unthought-of offspring of some moment of bitter chagrin and bitter disappointment, and that its design was to strike a blow as well at the Syndicate as at the House. It was an unworthy act. It is unworthy of us in our position—because ours is a high position—for any man to attempt to stamp, by legislative enactment, a mark of disgrace on a set of men, who stood with untarnished reputation before the country until this exceptional legislation was attempted to put the bar sinister of disgrace upon them for the rest of their lives.

Mr. GUTHRIE. The hon. gentleman who treated this Bill as an exceptional measure, forgot that its principle is, in a measure, already embodied in our Independence of Parliament Act. The 7th section of that Act provides that:

"This Act shall not extend to disqualify any person as a member of the House of Commons, by reason of his being a shareholder in any incorporated company having a contract or agreement with the Government of Canada, except companies undertaking contracts for the building of public works, and any company incorporated for the construction or working of any part of the Canadian Pacific Railway."

So that long before this Syndicate was thought of—years ago—Parliament felt that the case of a company incorporated to construct and work the Canadian Pacific Railway was an exceptional case, and that special provision should be made for it, and special provision was made for it. And why? Because this Government must necessarily for years, and perhaps for all time, have enormous interests involved in connection with such a company. We have been discussing the contract entered into with the Syndicate. We have been told, for instance, that if the Syndicate failed to carry out certain parts of the contract

Mr. BOULTBEE.

the Courts may be appealed to to enforce performance. We have been told that if they break the contract, actions for damages may be brought against them. In fifty different ways the Government and the Syndicate may come into collision on questions of enormous interest and vital importance to the country. Parliament has provided already that no shareholder of such a Company shall be a member of this House. And why? Because his interests as a shareholder in that Company might clash with the interests of the country, considering the nature of the transactions between them. The present Bill contemplates merely an extension of the same principle. Parliament felt that an exception should be made with regard to that Company, and I say that my hon. friend from Prince Edward (Mr. McCuaig), who admits that this principle is a proper one if applied to all companies, has failed to notice that it is extended to all companies who have contracts for the construction of public works, and especially the Canadian Pacific Railway. It appears to me that the hon. gentleman, who said this Bill was an insult offered to the Company and to the House, has forgotten the nature of the Independence of Parliament Act. That Act is now 100 years old. It was first of all passed to meet the case of contractors and placemen. It is not said in the Act that contractors and placemen will corruptly use their votes, or act corruptly in their capacity as representatives of the people, but it was felt that that would be the temptation, and the tendency has been legislation in preventing them holding seats in Parliament. Parliament has never considered that it was insulted by making provision for its own purity. Would the hon. gentleman say that it is right that a company, having transactions with the Government such as this Company have, should contribute to the expenses of an election of any candidate to this House? Will my hon. friends opposite say that a law which prohibits such an act is anything but a right law? If Parliament is composed of honest men, if the candidates for seats in this House are honest men, and if the Company is composed of honest men, where is the insult? You may as well say that honest men are insulted because we pass laws against theft. It is because it is wrong for such a company to contribute to the election expenses of a candidate for Parliament, or make gifts or presents to a member of Parliament, that such a measure is proposed.

Mr. HESSON. What is the use of the hon. gentleman asking for a further Bill of this kind?

Mr. GUTHRIE. The hon. member for East York (Mr. Boulton) goes back in his recollection to what, he says, the Reform party have been guilty of in the way of bribery. We, too, can go back and recall instances which are notorious and which show such provisions are absolutely necessary. Legislation of this kind is necessary to prevent the repetition of what Sir Hugh Allan did in 1872. It is necessary to prevent what the Northern Railway were proved to have done in years gone by, according to the almost unanimous report of gentlemen on the Committee of investigation of both sides of politics. I do not refer to these matters for any other purpose than to show that the history of our country proves that in regard to this railway such a provision is quite justifiable and necessary.

Mr. ROBERTSON (Hamilton). Would you consider it an insult if an Act was introduced to prohibit the Guelph Lumber Company from practising the things mentioned in this Bill?

Mr. GUTHRIE. I say it is quite right that companies which have contracts with the Government for public works should be prohibited from contributing to the election funds of candidates for Parliament.

Mr. KIRKPATRICK. The Bank of Montreal, for instance?

**Mr. GUTHRIE.** Yes; if they entered into a contract like this. I say, that so far as the Canadian Pacific Railway is concerned, it is an exceptional case. With regard to the investigation in 1877 before the Committee on Privileges and Elections, of which I was member, the Committee found, in the case of the hon. member for Gloucester (Mr. Anglin), that the practice had existed since Confederation, at all events, of giving advertisements to newspapers owned by members of Parliament, and that no fault had been found with that practice. They also found in the report of an Election Committee, presented by Sir John Rose, it was decided that the giving of work to a printer was not a contract within the meaning of the Act, so as to avoid a member's seat. But the Committee found that, although the hon. member for Gloucester had acted *bona fide*, still, under a strict construction of the Act, he had violated it. That report was unanimously adopted by the members of the Committee, irrespective of party. It is a her late in the day for any hon. gentleman now to single out the hon. member for Gloucester from all others, whose cases were brought before Parliament at that time. I remember that the greatest zeal was shown by the Conservative party at that time for the independence of Parliament. We did not hear a single word about insulting Parliament, by a strict attention to the purity of its members. In fact, some went so far as to say that men should lose their seats who had unwittingly received a few dollars from the Government for work done. They went so far as to say, in their construction of the Act, and perhaps they were right, that the purchase of a few barrels of flour from a member for the surveyors in the North-West, or the insertion of an advertisement in a newspaper belonging to a member, were transactions that ought to void the seat of the member. It was found that such transactions as those had been unwittingly committed by several members, and even the acts of their clerks were held to constitute a breach of the Independence of Parliament Act. What is called the whitewashing Act was simply this, that no member who had unintentionally and unwittingly committed a breach of the Independence of Parliament Act should be subject to the penalties, but before he escaped the penalties, it must be found to the satisfaction of judge and jury that he had not knowingly committed a breach of the Act. I think eight Conservative members voted for that Act. It was felt at the time that it would be extremely harsh for the first time to enforce a law that had never theretofore been strictly construed in this country, and to subject men to enormous penalties, as well as the forfeiture of their seat, for offences they were not conscious of having committed, and did not intend to commit. That is the history of what is called the whitewashing Act of 1877. Now, I ask you whether any hon. member of this House opposed to this Bill has undertaken to show that what it aims at is not a proper thing? Will any hon. member get up in his place and say that it is right, considering the position in which this country stands to the Canadian Pacific Railway Company, that they should be permitted, if so disposed, to contribute to the election of members of this House? If they say it is right, then let them vote for the amendment moved by the hon. Minister of Public Works; but if they say it is wrong, and agree that Parliament should be protected, that the purity of Parliament should be defended, then let them, at all events, give this Bill further consideration. We may differ as to some of the penalties—I am not prepared to say myself that I would agree to all this Bill contains—but to the principle of the Bill I do agree, and I think on further consideration the hon. members of this House will come to the conclusion that it is no greater insult than the Independence of Parliament Act itself, which has hitherto received the hearty approval of all parties.

**Mr. McCALLUM.** The hon. gentlemen on the other side of the House are always in favor of independence of Parliament when they are in Opposition. It is their policy, it is their platform; but when they get on the Ministerial side they change their policy, or forget to carry it out. My hon. friend from South Wellington (Mr. Guthrie) says that this Act has been in force for 100 years. I ask you, Mr. Speaker, if you have ever known a time when the independence of Parliament was violated so much as it was by the hon. gentlemen opposite while they were in power? The hon. members of the late Government had contracted themselves, among them the Minister of Militia and the late Speaker. The hon. leader of the Opposition, before attaining to power, spoke loudly in favor of the independence of Parliament, but when he became leader of the Government he let contracts to members. I think every hon. member on both sides of this House is honest enough to keep clear of corruption. I see no necessity for this measure, and I shall vote against it.

Amendment (Mr. Langevin) six months' hoist, carried on the following division:—

## YEAS:

## Messieurs

Allison,	Gault,	Massue,
Arkel,	Gigault,	Merner,
Baker,	Girouard (Jac. Cartier),	Montplaisir,
Beaty,	Girouard (Kent),	Mousseau,
Benoit,	Grandbois,	O'Connor,
Bergeron,	Hackett,	Ogden,
Bergin,	Hay,	Patterson (Essex),
Bill,	Hesson,	Pinsonneault,
Boulbee,	Hilliard,	Platt,
Bourbeau,	Hooper,	Plumb,
Bowell,	Hurteau,	Pope (Queen's),
Brecken,	Ives,	Richey,
Brooks,	Jones,	Robertson (Hamilton),
Bunster,	Kirkpatrick,	Rouleau,
Cameron (Victoria),	Kranz,	Routhier,
Cimon,	Lane,	Royal,
Colby,	Langevin,	Ryan (Montreal),
Costigan,	Lantier,	Shaw,
Coughlin,	Longley,	Tellier,
Coursol,	McDonald (Cape Breton),	Tilley,
Cuthbert,	McDonald (Pictou),	Valin,
Daly,	McCallum,	Vallée,
Dawson,	McCarthy,	Vanasse,
DeCosmos,	McConville,	Wallace (Norfolk),
Desjardins,	McQuaig,	Wallace (York),
Domville,	McKay,	White (Cardwell),
Drew,	McLennan,	White (Hastings),
Elliott,	McRory,	White (Renfrew),
Farrow,	Manson,	Williams,
Ferguson,	Masson,	Wright.—91.
Fitzsimmons,		

## NAYS:

## Messieurs

Anglin,	Fleming,	Rinfret,
Bain,	Geoffrion,	Robertson (Shelburne),
Blake,	Gillies,	Rogers,
Borden,	Gunn,	Rymal,
Cameron (Huron),	Guthrie,	Skinner,
Cartwright,	Holton,	Smith,
Casey,	Macdonell (Lanark),	Thompson,
Casgrain,	Malouin,	Trow,
Charlton,	Olivier,	Weldon,
Cockburn (Muskoka),	Paterson (Brant),	Yeo.—31.
Dumont,		

## DUAL REPRESENTATION.

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

Bill (No. 67) to repeal "An Act to render Members of the Legislative Councils and Legislative Assemblies of the Provinces now included, or which may hereafter be included within the Dominion of Canada, ineligible for sitting or voting in the House of Commons of Canada."—(Mr. Ouimet.)

House adjourned at 11:40 o'clock, p.m.

## HOUSE OF COMMONS,

THURSDAY, 24th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## INTEREST ON MONEYS SECURED BY MORTGAGES.

Mr. WHITE (Hastings), in introducing a Bill (No. 68) relating to interest on moneys secured by mortgage on real estate, said: During last Session a Bill was introduced by the hon. member for Centre Wellington (Mr. Orton) which went before the Committee on Banking and Commerce. That Bill contained a clause that any mortgage drawn, say to run for ten years from 1st July, 1880, any party wishing to pay interest on the mortgage at the end of five years would have the right to do so. This Bill is introduced to provide that any party who borrowed money five years previous to 1st July last, shall have the right, by paying three months interest, of repaying their mortgage to the parties from whom the money was borrowed. If, when the Bill comes up for the second reading, any further explanations are required, I shall be happy to give them.

Bill read the first time.

## WAYS AND MEANS.—THE BUDGET.

House resumed adjourned debate on the proposed motion of Sir Leonard Tilley, "That Mr. Speaker do now leave the Chair for the House to go into Committee to consider of the ways and means for raising the Supply to be granted to Her Majesty."

Mr. CHARLTON. I crave the indulgence of the House to-day for a short time, for at this stage of the Session I would be loath to inflict upon others what I would be loath to receive myself, a long speech, and I will be as brief as I can be under the circumstances. I may, at the outset, ask leave to make a definition of terms. In the discussion of the question now before the House we have heard a good deal about Protective tariffs, Free-trade, Revenue tariffs, &c. Free-trade in the abstract, that is the system under which no duties whatever are imposed on imports, is a system which, under the circumstances, it is impossible for us to have in Canada. The antipodes of this is the system which we now have—Protection. The aim of Protection is to exclude importations of a certain character, to exclude the importation of all goods which may be manufactured in the country. The object of Protection is not to cheapen, not to render more abundant, but to make dear and create scarcity. Protection is a policy conceived, not in the interests of the masses, but in the interest of a few; and if Protection did not advance the price of goods, it would fail of its object. The object of Protection is to advance the price of goods. The object of Protection is to increase the cost to the consumers of the various products, the manufacture of which it may be desired to promote in the country. Then we have, besides Free trade and Protection, what is called a revenue Tariff. A revenue Tariff, strictly defined, is a tariff imposing duties upon such articles as cannot be manufactured or produced in the country. This policy of confining duties to articles that cannot be produced in the country, is one that enables consumers to escape all but direct taxes, taxes which go for the benefit of the Government. If duties are imposed on articles produced in the country, or are to a certain extent produced in the country, the domestic products will be increased in price as well as the articles imported. It is estimated by good authorities that the domestic production is increased by two-thirds of the duty

Mr. McCALLUM.

on the imported articles; hence a tariff which imposes duties on any articles manufactured to any considerable extent in the country, imposes heavy burdens on the people, in addition to the taxes which they have to pay into the public Exchequer. A strictly revenue Tariff is one that, under all the circumstances, we can scarcely expect to have in Canada. We must expect in this country to have a tariff that will impose duties on other articles than such as are not produced, and cannot be produced, in the country. Now, the character of the Tariff supplanted by that now in force was one that afforded what is called incidental protection. It was not, strictly speaking, a revenue Tariff. It was very far removed from a revenue Tariff, for it imposed duties on a great number of articles which were, to a considerable extent, produced in Canada. Those duties did, to a considerable extent, foster the growth of the manufacture of those various articles, and to this extent the Tariff which was supplanted by the present one, was what is known as a Tariff affording incidental protection. But, Sir, the difference between such a Tariff and a protective Tariff is this: The objection to a purely protective Tariff is that it excludes all the goods that may be manufactured in the country. A Tariff affording incidental protection, while levying duties on goods that act as a protection, to a certain extent, to manufactures, at the same time secures what may be termed free competition. It does not exclude goods; it raises the price somewhat, and it affords a safety valve which prevents exorbitant prices by affording free competition. This Tariff, which was supplanted by that in operation, imposed no duty on coal, nor upon food, nor upon raw material. In this respect it was vastly superior to the present Tariff, as well as in respect of imposing lower duties upon articles that may be and are manufactured in the country; and in this respect the Tariff supplanted by the present Tariff was more equitable in its operation. Under the former Tariff I have always contended, and now contend, that the manufacturers of this country were in a prosperous condition. I believe that the degree of prosperity enjoyed by them was as great as the prosperity enjoyed by any other class of business interests. It is evident that the growth of our manufactures has been very great. The census of 1871 gave as the product of the manufactures of Canada the large sum of \$211,000,000. It was estimated, on good authority, that the products of the manufactories had been still further increased in 1878, to \$275,000,000. The manufacturing interests of this country were progressing rapidly and favorably. Their growth, too, was not a forced, but a regular growth—it was both a considerable and healthy one. We are told that if the Liberal party comes into power again, there will be a complete overturning of the present system. The member for Cardwell (Mr. White) the other night told us that if the Opposition regained power, they would overturn all things—there would be a complete revolution. If the Liberal party comes into power, as a matter of course, so far as the fiscal policy of the country is concerned, there will be changes made to a greater or less extent. But there are obligations resting upon Canada—obligations that are already very great, and that do not promise to be reduced—obligations which will, on the contrary, inevitably be increased, and those will render it necessary, for many years to come, that heavy taxes should be imposed—taxes not only as great as the people will be willing to submit to, but greater, I fear. This being the case, no hope, no promise or expectation can be held out that any Tariff enacted by the Liberals will be less burdensome, will impose smaller duties than the Tariff supplanted by the present one. Of course, individuals may express on this subject individual opinions. I have no doubt we should consider ourselves fortunate if a maximum rate of 17½ per cent. was imposed. I should not, however, be at all surprised if the rate should be 20 per cent.—that

is my individual opinion, which binds nobody. If the Liberals come to power, as, in the course of time, probably, they will, they will be bound to have regard to existing interests. A policy has been adopted which they protested against. Under that policy certain interests have been evoked, and certain interests have grown up. Those interests will be entitled to some consideration—to what degree I do not say. Those interests would naturally exert a certain influence, and would receive the fair degree of consideration they are entitled to without robbing other interests to benefit them. However, I think we may safely promise that if the Liberal party came into power, many obnoxious features of the present Tariff will be eliminated, and that the new Tariff will probably afford as high a degree of incidental protection as did the old, and under which the progress made in manufactures, was as great as could be reasonably desired. The idea proclaimed, that the Liberals are enemies of the manufacturing industries, is a false idea. The Liberal party take as much delight in seeing those industries prosperous as their friends on the opposite side. It affords us satisfaction, and the greatest gratification, to see new manufactures starting and manufacturing demands increasing—to see the manufactured products annually swelling in volume and amount. In the promotion of those industries we desire to adopt a proper policy. The difference between us and the honorable gentlemen on the Ministerial side is, that while remembering our manufacturing interests, we remember also, the farmer at the plough, the fisherman at his nets, the lumber man in the forest. We desire to dispense equal justice to all those interests. We desire the growth and prosperity of all, and protest against the promotion, growth, and prosperity of one at the expense of all the rest. The difference between hon. gentlemen opposite and us is, that we wish an equitable and fair policy calculated to promote the best interests of all. The gentlemen opposite, however, take one industry under their protection, a pet industry, and impose burdens on all the rest for its benefit. Although it was claimed that the present Tariff was conceived and passed in the interest of our manufactures, it injures the great iron industry, and the manufacture of agricultural implements. It imposes a heavy duty on the raw material used in this business. In one establishment in my own riding, the proprietor estimates the cost of iron to be \$2 greater than before this Tariff, while he can secure no corresponding advance in the price of the manufactured article. It is an injury to the iron founders to impose a tax on coal and pig iron, the raw material used by this branch of industry. The Tariff is also an injury to the mill owners in some instances, by imposing a restriction upon the importation of wheat, by which certain large mill owners are enabled to import extensively in bond. It is also an injury to the lumber interest by increasing the cost of supplies. The hon. Finance Minister, the other day, conceded as much, that the cost of producing lumber was increased one per cent. by the National Policy. If he had multiplied that figure by ten, he would have been nearer the truth. I have no doubt that in New Brunswick the cost of producing lumber is increased by ten per cent., and that in Ontario and Quebec at least by five. As a practical lumberman, this is my opinion. I do not know that any important manufacturing industry has been resuscitated by this Tariff with the exception of the sugar refining business. I doubt whether our manufacturing industries are very much more prosperous than under the late Tariff; and, certainly, the cost has been enormous compared with the benefits derived from this policy so far as the promotion of those industries are concerned. It certainly, in addition to injuring the industries I have mentioned, injures the fisherman; it imposes heavy duties on his food and clothing, while he derives no benefit whatever from this policy. It injures the farmer. It injures the railways also, by imposing duties

on coal, and obliging them to put an additional price upon the transportation of local freight. It benefits, in short, as all protective tariffs do, comparatively few industries at the expense of the mass. The effect of increased prices consequent upon Protection, is seen in the diminution of the exports of manufactures. The export of manufactures under Protection is invariably small. No matter how great pains may be taken to foster domestic manufactures, or to what extent they may be enabled to command the home market, it is an invariable accompaniment of Protection that the export of manufactured goods is inconsiderable under a protective system. Now, Sir, the export of manufactured goods in Canada has fallen off largely. I find that in 1874, the exports of ships built at the Port of Quebec alone was \$796,000; in 1875, it was \$789,000; in 1876, from the Dominion, it was \$2,189,000; in 1877, \$1,576,000; in 1878, \$1,318,000; in 1879, \$529,000; in 1880, \$464,000. Now, here is a steady and a very rapid diminution in the export of this article under the National Policy. My hon. friend the Minister of Finance, the other night, undertook to explain this by saying that in one year, owing to the inflation of this branch of industry, great numbers of vessels had been built which had to be sold at sacrifices, at any price, in order to cover advances, and in order that ship builders might pay their debts. But I find that this exportation of ships was very large for more than one year. It was very large for the whole Dominion each year, from 1874 to 1877 inclusive. I find that the diminution after the National Policy came into force was very rapid and very marked. The other night the hon. member for Cardwell (Mr. White) told us, in reference to this question, that the export of manufactures is only of importance after the market at home is fully supplied; that if we are increasing manufactured goods for the supply of the home market, it matters little if the exports have fallen off. Well Sir, I want to ask if, when we were exporting this large amount of ships in the year I have mentioned, we were not first supplying the home market, and supplying it as fully as we are doing to-day? I want to know if we were not first supplying the home market in reference to all those articles that comprised the bulk of our exports before exporting to foreign countries? We were doing so; we were supplying the home market as fully as we are doing to-day, and in addition we were exporting to a much greater extent than at present. Now I come to the consideration of the farmers' interests. When this National Policy was adopted as a party cry, the farmer was appealed to, and certain promises were made him if he would give his support to this policy. Two particular promises were made. The first promise was that he should be afforded protection, that upon the grains imported from the United States duties should be imposed in order that the price of grains he had to sell should be enhanced. This promise, and the promise that a home market should be created by the operation of this policy which should absorb the production of the soil and give him better prices, secured his support. Now, in reference to the question of the effect of duty imposed on imported grains, let us see whether that policy, in its operation from 1878 to the present time, has succeeded in raising the price of grains higher than would have been the case if we had had free trade in grain. I shall not trouble the House with extended quotations. I shall only give quotations in September, 1878, June, 1879, March, 1880, and February, 1881. I will first give the quotations of wheat. Wheat on the 17th of September, 1878, was quoted: Fall wheat in Toronto, 97 cents; spring wheat, 97 cents. In Detroit, fall wheat, \$1.01½; in Chicago, spring, wheat 89 cents. It will be seen that those grains were higher in the United States than in Canada, and that it would have been impossible to import them at that time when the Government told the farmers that they were in need of protection. On the 30th of June, 1879, the price of

fall wheat in Toronto was \$1.01; spring wheat, 97 cents; fall wheat in Detroit, \$1.10; spring wheat in Chicago, \$1.07. Prices were still higher in the United States, at those points than they were in Toronto. On the 15th of March, 1880, fall wheat in Toronto was \$1.28; spring wheat, \$1.26; Detroit, fall wheat, \$1.24 $\frac{1}{2}$ ; Chicago, spring wheat, \$1.23. None of those articles would have paid the cost of freight laid down at Toronto at that time. On the 1st of October, 1880, fall wheat in Toronto was 95 cents to \$1.02; spring wheat, \$1.00 to \$1.10; in Toledo, \$1.04; Chicago, spring wheat, 93 $\frac{1}{2}$  cents. On the 19th of the present month fall wheat in Toronto was \$1.08 to \$1.10; spring wheat, \$1.08 to \$1.17; in Chicago, spring wheat, \$1.02. Wheat could not have been transported from Chicago to Toronto and pay the freight, without reference to duty, at the prices in Toronto. We now come to oats. On the 17th of September, 1878, oats were 30 cents per 34 lbs. in Toronto, and 20 $\frac{1}{2}$  cents in Chicago. On the 30th of June, 1879, they were 38 cents in Toronto, and 34 $\frac{1}{2}$  in Chicago; on the 15th of March, 1880, 39 cents in Toronto, and 37 in Chicago; on the 1st of October, 1880, 24 cents in Toronto, and 31 cents in Chicago; on the 19th of the present month, 36 cents in Toronto, and 35 in Chicago, the bushel at Chicago being 34 lbs., though the local bushel there is 32 lbs., but I have made the difference between 32 and 34 so as to make the prices correspond with the weight. Next take barley. On the 17th September, 1878, barley was \$1.05 a bushel in Toronto, and \$1.25 in Oswego; 30th of June, 1879, 60 cents in Toronto and 80 cents in Oswego; 17th of March, 1880, 70 cents in Toronto and 97 cents in Oswego; 1st of October, 1880, 70 cents in Toronto and 85 in Oswego; on the 19th of this month, 90 to 96 cents in Toronto, \$1.15 to \$1.30 in Buffalo. There is little danger of barley being imported, or of the home market being flushed with barley. I am sorry my hon. friend the First Minister is not in his seat, as I would like to ask him a question with reference to his remarks made at Strathroy, about the necessity of putting a duty upon barley. We will now take rye. On September 17th, 1878, rye in Toronto was 56 cents a bushel, in Chicago 45 cents. It would have paid to import barley at that time. After the duty was put on rye, in June 30th, 1879, it was 50 cents a bushel in Toronto, and 53 $\frac{1}{2}$  cents in Chicago; March 15th, 1880, 80 cents in Toronto and 73 cents in Chicago; 1st October, 1880, 73 cents in Toronto and 83 cents in Chicago; 19th of February of the present year, 85 cents in Toronto and 88 cents in Chicago. Butter, on the 17th of September, 1878, was 21 cents a pound in Montreal and 25 cents in New York; June 30th, 1879, 15 $\frac{1}{2}$  cents in Montreal and 15 $\frac{1}{2}$  cents in New York; March 15th, 1880, 14 $\frac{1}{2}$  cents to 21 cents in Montreal, 15 cents to 36 cents in New York; October, 1880, 18 cents to 20 cents in Montreal and 16 cents to 33 cents in New York; 19th of the present month, 29 cents in each city. Cheese, September 17th, 1878, 6 $\frac{1}{2}$  cents to 8 $\frac{1}{2}$  cents in Montreal and 3 $\frac{1}{2}$  cents to 8 $\frac{1}{2}$  cents in New York, for the same grades; June 30th, 1879, 6 cents in Montreal, 6 $\frac{1}{2}$  cents in New York; March 15th, 1880, 14 cents to 15 $\frac{1}{2}$  cents in Montreal and 11 cents to 14 $\frac{1}{2}$  cents in New York; October 1st, 1880, 11 $\frac{1}{2}$  cents to 13 cents in Montreal, 13 $\frac{1}{2}$  cents in New York; February 19th, 1881, 14 cents in Montreal, 13 $\frac{1}{2}$  cents in New York. These quotations show clearly that it was not necessary to impose a duty on any of the articles I have named, in order to exclude them from the Canadian market; they show that the prices were as high in that country as they were in Canada; they show that Canada was not a better market than the United States; and they show the duties on grain and flour were entirely unnecessary and inoperative. There is one grain, it is true, the price of which has been affected by the duty: that is, Indian corn, of which our imports were largely in excess of our exports. I have some figures which, I think, will demonstrate that the importation of Indian corn is an advantage rather than

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a disadvantage. Let us see what the effect of that trade was in 1877, when, it will be recollected, there was a short harvest, and when our exportations were very small. Our net export of grain, flour and meal in that year was \$2,597,000 worth. We imported from the United States in corn and cornmeal, 6,348,000 bushels in excess of our exports. The average prices of our exports were: flour, \$5.50 per barrel; oats, 42 cents per bushel; barley, 71 cents per bushels; peas, 85 cents per bushel. The cost of the meal we imported was \$3 per barrel, and the corn 51 cents per bushel. Our net import of meal was 292,000 barrels. Now, if we had bought that quantity of meal at \$3 per barrel, and sold the same quantity of flour at \$5.50 per barrel, the country would have gained \$632,000 by the transaction. Under these circumstances, there would not be much advantage in excluding the meal and consuming the flour. Our net import of corn, after deducting the meal, was 5,176,000 bushels, in excess of what we exported. Now let us see what we should have gained by keeping out the corn. If we had consumed 2,970,000 bushels of oats, the amount of our surplus in that year, instead of the corn we imported, we should have lost fourteen cents a bushel, on 1,800,000 bushels, the equivalent in weight of the oats, \$252,000. If we had substituted our entire export of 1,745,000 bushels of peas at 85 cents, for its equivalent of 1,870,000 bushels of corn at 51 cents, we should have lost \$23,600. If we excluded the quantity of corn that represented our total export of oats and peas, and had consumed the latter, we should still have consumed 1,736,000 bushels of barley in place of 1,506,000 bushels of corn, the balance of what we imported, and lost \$466,000, the excess in value of the barley over the corn. If this computation is correct, it shows that in consequence of importing 292,000 barrels of meal and 5,176,000 bushels of corn, and exporting a corresponding amount of flour, oats, peas and barley which we should have consumed if we had not imported the corn, we were \$1,873,000 better off than we should have been if we had excluded the corn and consumed other coarse grains instead of it; and if we allow for freight charges on oats, peas and barley to port of shipment, and on corn to points in the interior where consumed, \$435,000, the advantage to the country from the importation of corn, in 1877, was \$1,438,000. Well, Sir, I am sure that is a trade which it is not wise for us to endeavor to destroy. Now, the net imports of corn and meal were, in 1876, 2,200,000 bushels; in 1877, 6,348,000 bushels; in 1878, 4,300,000 bushels; in 1879, 1,146,000 bushels; in 1880, 2,513,000 bushels; and for the first six months of this year, 1,267,000 bushels; and the imports for the next six months will, undoubtedly, be heavier. At the present moment, if we imported corn at 50 cents a bushel free of duty and export oats 35 cents a bushel, we should make on every bushel of corn we import, 7 $\frac{1}{2}$  cents; if we replaced the corn we import with barley at 96 cents, we should make 63 cents on every bushel; if we replaced it with peas at 62 cents, we should make 8 cents on every bushel; and if we replaced it with barley at 85 cents a bushel, we should make 20 $\frac{1}{2}$  cents on every bushel. If this is true, the duty interferes with the exchange and greatly lessens the profit, although it does not entirely prevent it. The trade returns show, notwithstanding this duty, which was calculated to prevent the importation of corn, that last year we imported over 2,500,000 bushels, and this year we shall probably import a larger amount. The duty has had no appreciable effect on the growing of corn on the corn-growing belt in this country. Many of the farmers do not know practically that the duty has been imposed, and I do not think the price of corn is higher than it was before the National Policy was adopted, as compared with the price of other coarse grains. Were it not that I do not wish to weary the House, I might

enter at considerable length into an explanation of the reason why this is the case. The duty on grain has been in operation since 15th March, 1879. In the year 1879, ending 30th June, we had exported \$14,817,000 worth of grain, flour and meal. That was the net export of the country. Under the operation of the duty, instead of that amount being diminished, it had swelled the following year to \$17,000,000; and the export for the first six months of the present fiscal year amounts to \$10,500,000. Why, after the imposition of this duty for the purpose of increasing the price, should the quantity exported have increased so largely? And if that quantity has increased so largely, is it not apparent to any man that there must be a fallacy in supposing the duty can affect the price? If we have no home market, but have a large annual surplus which we must export, the duty must be inoperative as regards any effect it can have on the price, and the price must be governed by the rates in foreign markets. The hon. Finance Minister admitted that the other night. I recollect last year in this House, I challenged the hon. gentleman to assert that the duties on grain could have any effect in raising the price, except in the case of corn, and the hon. gentleman, with great prudence, refrained from expressing an opinion. This year he tells us the duty has had no effect, except under exceptional circumstances. If our wheat were all sold; if there was a shortage, and it was necessary to import wheat for home consumption, then the duty would have an effect on the price; but so long as we have a surplus to export, he admits, and every man of common sense will admit, that the duty has no influence on the price. I dare say the hon. gentleman's admission is made with a view to making a change in these absurd duties. He sees clearly they are mischievous in their operation, and thinks he is firmly enough planted in the saddle to disabuse the minds of the farmers as to this portion of the Tariff by taking off the duty. Well, the hon. gentleman and those associated with him can lay no claim to originality in this sell which they perpetrated on the farmers in 1878. They copied the sell, they copied their arguments and statements from the source where the same policy had been followed, and the same results produced as here. For twenty years heavy duties have been imposed on all grains imported into the United States, and for twenty years the United States have gone on, year after year, exporting enormous quantities of grain and flour. For twenty years the prices of these articles have been governed by the process ruling in foreign markets, and for twenty years the farmers have been deluded into the belief that in some way the duty has worked to their advantage.

Mr. PLUMB. That is a great compliment to the intelligence of the farmers.

Mr. CHARLTON. Very great. I understand the farmers in some parts of the country have shown dawning symptoms of intelligence, and do not care to have the hon. member for Niagara address them at their mass meetings. They will probably grow in intelligence until they see clearly the fallacy of the arguments of hon. gentlemen opposite. For twenty years the United States farmers, and for twenty years our farmers, have been protected in this way, and we have been guilty of the mutual absurdity of keeping out grain from each other's market. The Americans sell in Europe and we sell in Europe, but neither must send any grain across the line, without paying duty, although neither buy for the purpose of home consumption. We were told that this policy would result in the building up of vast manufacturing establishments, the creation of a great consuming population, the formation of a home market, which would consume the surplus products of the soil. Let us see whether this promise has been realized. The hon. Finance Minister tells us that through the operation of this policy, 14,000 operatives have been added to the operatives of Canada. He did not say whether

this was the net increase or not. He did not say whether he deducted from this amount those that had ceased to find employment on account of defunct industries. Had he done so, I believe the number would be very much less than that stated by the hon. gentleman. I ask the hon. Minister whether, in stating the 14,000 additional operatives had found employment since the inauguration of the National Policy, he supposes that if that policy had not been inaugurated, if the former Tariff were continued in force, there would have been any additional operatives added to our population.

Sir LEONARD TILLEY. The amount would have been very slight indeed.

Mr. CHARLTON. The hon. gentleman says this in face of the fact that the products of the manufacturers of this country, in 1870, reached the value of \$211,000,000; that, in 1878, that production had increased to the amount of \$275,000,000; that our industries were steadily growing; that there has been, owing to other causes than the operation of this Tariff, a great revival in business which would inevitably have given an impetus to our manufacturing industries. I do not believe that under the operation of the old Tariff, the addition to our manufacturing population would have been 4,000 less than it has been. I believe it is quite possible the addition would have been almost as great. Certainly, if we examine all that has to bear on this case, we must come to the conclusion that the increase in the number of operators would, under the old policy, have been very large. What progress has been made towards consuming the surplus? How near has my hon. friend approached to the redemption of his promise: that if this policy were adopted, the whole agricultural surplus would be consumed in this country? In 1877, the net export of grain, flour, and meal from Canada, amounted to \$2,600,000. In 1878, it amounted to \$12,250,000; and in 1879, to \$14,877,000. The National Policy then came into operation. Let us see how rapidly this amount diminished. In 1880 it had not diminished, but had grown from \$14,877,000 to \$17,000,000, and the amount is still increasing. Through the courtesy of the hon. Minister of Customs, I have obtained a list of the exports for the six months ending 31st of December and I find that they amount to \$10,500,000, indicating most clearly that in place of a home market being afforded, the exports of produce are swelling from year to year. Nothing could demonstrate more clearly the utter fallacy of the promises of the hon. gentleman. At this rate, when will we have a home market? Why, the exportation of agricultural produce from Canada would have fed 1,000,000 people. It would have required an addition of 1,000,000 instead of 14,000 to have consumed this agricultural surplus of 180. Let us see how near the United States have come towards insuring a home market that would absorb their agricultural surplus, after twenty years trial of the policy that has been in operation here two years. In the year ending 30th of June, 1880, the United States exported \$283,000,000 worth of bread stuffs. They had come that much short of furnishing a home market, by the operation of the protective policy inaugurated in 1861. And the American consumer has submitted to taxation for these twenty years in order to build up a home market that comes within \$283,000,000 of absorbing the bread stuffs raised in his country. What may we suppose is the aggregate amount of that taxation? The best authorities estimate that, through the operation of protective duties, the cost of all domestic goods of the same classes as those upon which these duties are imposed, has increased by two-thirds the amount of the duty. Now the average duties in the United States for the last twenty years have been 40 per cent. The average production of domestic manufactures affected by those duties for twenty years in that country was \$3,000,000,000. If those domestic articles have

been enhanced in cost to the extent of two-thirds of that duty, the amount is \$800,000,000 a year, or \$16,000,000,000 for the twenty years. If, however, the cost of these \$3,000,000,000 of domestic goods produced annually has been enhanced to consumers only one-half of the import duties, that amounts to \$600,000,000 a year, or \$12,000,000,000 for the twenty years. I do not give these figures on my own authority; they are given as the authority of some of the best political economists in the United States. I have no doubt the figures are substantially correct; that American consumers have paid in twenty years \$12,000,000 a year for the purpose of bringing about a state of things that would absorb the productions of their country, leaving only the small surplus of \$283,000,000, or \$50 per head. I believe the policy has done more. I believe the injurious effect of the policy has not been measured even by this. I believe, in addition to the imposition of this vast taxation on the producers of the United States, that the operation of that policy has been to retard the commercial progress of the world; that its operation has been to make times harder across the ocean, to reduce the ability of the consumers in England, France and other countries to buy, and that, in addition to paying those \$16,000,000,000 or \$12,000,000,000, as the case may be, the producers in the United States, during all those years, have received lower prices for their productions than they would have done, if either Free Trade or a revenue Tariff had permitted a freer interchange by its operation. Perhaps it may be necessary to say something about the operation of Protection in the United States. I know the argument has been used, that if our population is drifting off to the United States in considerable numbers, that country being a protective country, the inference is a fair one that Protection is a good policy. Well, there are a variety of reasons which operate to make the United States prosperous at the present time. Some three years ago the country returned to specie payments, and I think that had a very considerable effect on its prosperity. Then, the country has had two extraordinary harvests, the most extraordinary known in the history of the country; and combined with the fact that the country has had those great harvests, is the other fact, that there were two years of scarcity in Europe, causing an unusual demand for the agricultural products of the United States at high prices. This could but produce its effects. We felt the effects of the same causes here. The fact is, the extraordinary demand at unusual prices must necessarily have effected the prosperity of the country, and they have had an effect on it. Then again, no better field could be chosen for the operation of any policy than the United States. It is a miniature world. It has every variety of soil and productions, it extends from ocean to ocean, and from the temperate zone to the tropics. The products of the temperate zone, and nearly all the products of the tropics, are produced in abundance. It possesses a vast consuming population, millions of inhabitants are engaged in the business of raising cotton for exportation to manufacturing countries. These millions afford a great market for the manufactures of New England. Another element of prosperity is the fact that in the last eleven years the United States received 3,592,000 immigrants. If they brought an average of \$100 each, according to the estimates of some authorities, the country received an accession of wealth from that source of \$360,000,000 in eleven years. In such a country the evil effects of a bad fiscal policy are minimized. But if we look carefully over the field we will find, even in that happily favored country, some evil effects of Protection. I have already named some of its evil effects. If we look at the shipping industry of the United States, I think we will find a very striking illustration of the evil effects of Protection or some other policy. I find, in 1856, the United States carried in its own vessels 75 per cent. of its commerce; in

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1879-80, it carried only 23 per cent. For the last fiscal year the sum paid for outward freights was \$88,000,000, inward freights, \$45,000,000, making a gross sum of \$133,000,000. If the American marine had been in a position to carry 75 per cent. of its freights, as in 1856, it would have amounted to \$99,750,000; but as it carried only 23 per cent., the sum realised was only \$30,500,000, leaving a loss of \$69,000,000 for the merchant marine of the United States in one year in the matter of freights through the fiscal policy of the country. The entire number of sailing vessels engaged in the interoceanic trade was 4,682. Of those 884 were American; 882 belonged to the little Kingdom of Norway, only two less than the total number of vessels belonging to the United States. The total number of steamships engaged in foreign trade was 590. Of that number Great Britain supplied 447, the United States but 46, about 34 of which were engaged in the West Indies and Mexican trade. Even China and Japan are at this moment more enterprising, and appeared to be making more progress in regard to ocean steam marine than is the United States. That increase was due to the protective policy of the United States, and to the fact the Tariff totally prohibits the importation of vessels. American shipowners cannot buy or build and compete with foreign nations, and it is only in the coasting and inland trade that the American shipping industry has any prosperity whatever. The United States after twenty years of Protection, last year, exported \$104,000,000 worth of goods, including refined petroleum. Their exports of manufactured cottons reached \$10,853,000 last year. In 1860, under the operation of a revenue Tariff, they amounted to \$10,933,000; an amount greater than that sent off after twenty years of Protection. Last year they exported, of woollen goods, two-thirds of a cent per head, or \$346,000 worth, after twenty years of protection by duties from fifty to seventy-five per cent. In the United States the people were told this Protection was but a temporary measure—that while industries were in the infant and struggling condition it was necessary; but that after a time, when they were firmly planted, it would be removed. But those industries are still infant and struggling industries; they still demand Protection, they are still unwilling, and always will be, to dispense with Protection. It is a feature of Protection, that it keeps industries in swaddling clothes, and unable to compete with the free, unhampered industries of the rest of the world. Such is the case of the United States to-day, and such may be expected while Protection is continued. I call attention to the reason why Protection will prevent the United States or any country from engaging extensively in foreign trade, and there is no question that in the United States cotton goods can be produced as cheaply as any where in the world, and they should be able to export extensively. What prevents them from exporting to Buenos Ayres, Chili, South Africa, and other countries, and competing successfully with English manufactures? It is this: if the United States export cottons to Buenos Ayres, for example, they must take wool in exchange, or whatever other produce that country can give; but the United States manufacturer cannot take wool back to the United States, on account of the heavy duty on it. The products of such countries as Buenos Ayres must, therefore, be taken to England or Europe for a market, whence their price is brought to the United States, thus making a triangular operation. It is thus impossible to compete with the English manufacturers, who can take foreign goods home with them, in exchange for their manufactures, and enter them free of duty. It is similar in the case of Chili, where the foreign manufacturer must take payment in copper ore, which cannot be imported into the United States. Protection utterly prohibits the United States manufacturer from exporting his goods to any extent. If the Republic adopted a common sense system in this respect, I have not the slightest doubt that in

twenty years it would become the greatest manufacturing country of the globe. It has a great accumulation of capital, great natural resources, a great population, great industries and ingenious artizans, and with a proper policy would become a great exporting country. But as long as it adheres to Protection, it will remain as it is, supplying its own wants at vast expense, and utterly unable to compete in the markets of the world, with France, England and Belgium; and if Protection is not the thing in that broad, favorable field of the United States, with all its natural advantages, what may we expect from it here, in the limited field of the Dominion? We have heard from all the speakers on the Ministerial side of the great business revival in Canada, and that it is due to the National Policy—the Finance Minister and members for Niagara and Cardwell have advanced that claim. Well, fortunately we have a business revival which is very marked, and which has resulted in swelling our revenue and increasing the prosperity of our people. Now, what has brought about this revival? The Finance Minister, I presume, will still say it is his pet, the National Policy. I think we can point to other reasons for it, however. In the first place, there has been a great revival in the United States. We are, for instance, receiving now in Toronto, 96 cents a bushel for barley, that in 1879 brought only 60 cents. Lumber is also high, as high, perhaps, as during the civil war. The lumber interest was never more prosperous than at present. The advance in the price of lumber and the increase in its exportation is most manifest from our Public Accounts. That advance came less than a year ago, just at the time of closing up the Public Accounts for the fiscal year 1880. The lumber trade of the country makes an unusual account. Although the export of lumber increased \$3,000,000 over the preceding year, yet that is a very small proportion of the great increase, that the next return will undoubtedly show, in that branch of industry. Coupled with the improvement in the United States, and with the increased prices we have received for lumber and barley, and various other articles we exported, we have had two abundant harvests, while there have been two years of scarcity in Europe, occasioning an unusual demand for our productions. The result has been to us prosperous times—the result of influences outside of Canada—the result of something besides monopolies and the policy of our Government. If the National Policy has had any effect upon our prosperity, as it undoubtedly has had, it has been simply to lessen that prosperity; without it the prosperity would have been greater. I hear the laugh of the member for Niagara, and I assert again that our prosperous circumstances are due to causes exterior to this country—to an improved demand for our productions in the United States, and to an improved, an unusual demand for them in Europe, and to unusually high prices, and that this prosperity would have been greater, but for the policy of taxation and depletion adopted by the hon. gentlemen opposite.

In reply to Mr. WHITE (Hastings),

Mr. CHARLTON said: The hon. gentleman speaks about the day of judgment for the Opposition. There is a day of judgment coming, before the bar of public opinion—a day of judgment for all the falsehoods and follies hon. gentlemen opposite have palmed off upon an intelligent but unsuspecting people. The Finance Minister wishes to usurp in our affections the place of a benign Providence in regard to our prosperity, to usurp the place due to beneficent Nature. Had he lived in the good old days of heathen Rome, there would have been a movement to make him a demigod, on the ground that he had created all this prosperity. The sun has exerted its warming influence upon the earth, the rains have descended, the husbandman has seen the fruits of his summer's toil gathered in unusual abundance, events outside Canada have conspired to benefit us in various ways. Providence and Nature have combined to make our lot an enviable one by

improving our condition, when my friend the Finance Minister steps in and says: "That is not the case; it is not the abundant harvests in Canada, it is not the unusual demand in Europe and the improved demand in the United States for our products; it is not these things, it is the taxation I imposed, it is the depletion I occasioned; it is the pimples upon the body, that have been fostered by me, that are the cause of the health of the patient." I believe that we may thank Providence and Nature for the blessings we enjoy, and that we have very little to thank the Finance Minister. In this connection I now wish to call attention to some figures which will throw at least some light upon the improvement in our condition. I wish to draw a comparison between the unusual volume of exports for the last two or three years, as compared with the five years preceding. I give the net exports of grain, flour and meal. I take the exports of those articles produced in Canada, and those not produced in Canada, and deduct the total imports. I reduce all to bushels. I reduce flour to bushels in the proportion of  $4\frac{1}{2}$  to a barrel; oat meal in proportion of 10 to a barrel; and corn meal to a proportion of 4 to a barrel, which, I presume, is substantially correct. I find that the net exports of flour, corn and meal for 1874, were \$11,900,000, in round numbers; 1875, \$3,950,000; 1876, \$13,850,000; 1877, \$2,590,000; 1878, \$12,260,000; 1879, \$14,870,000; 1880 \$17,000,000; for the first six months of the first fiscal year, \$10,500,000. Now, Sir, if we analyze this, we will find that the net export for the five years, ending in 1878, was \$49,590,000; the net exports for the two and half years, ending 31st of last December, amounted to \$42,421,000. The average annual export for the five years of the first period was \$9,900,000; the annual average export for the two-and-a-half years of the last period was \$17,600,000, and the average for the last two-and-a-half years of the first five years was \$9,570,000. Now, Sir, the exports for the last two-and-a-half years lacked but \$7,900,000 of being as great as the exports for the five previous years. The total net exports for the two and half years since June, 1878, were \$42,400,000; the net exports for the two-and-a-half years previous to that period were \$21,720,000, or nearly twice as great as for the two-and-a-half years since June, 1878, and within \$7,900,000 as great as for the last two-and-a-half years for the five years of the *regime* of the hon. member for Lambton. Has this had any effect on our prosperity? The fact that we exported in the last two-and-a-half years nearly as much as in the preceding five years of grain, flour and meal, the fact that the exports of the produce of the forests are swelling very rapidly in amount, together with the fact that these large increased exportations of agricultural products, must necessarily have benefitted the business of this country, business could not help being favorably effected by these causes. The prosperity of this country is due to these things. Let any gentleman examine our Trade and Navigation Returns carefully and considers these facts, and he cannot fail to admit that the prosperity of the country must necessarily be greatly increased by this state of affairs. I think it would be well if the Finance Minister would recollect some things that we find in Holy Writ. He might read the Book of Proverbs to great advantage. He might also read of a Prime Minister who once advised a king in years of plenty to provide for years of scarcity, and he might take that lesson to himself. Here we are in the full tide of prosperity, with two unusually good harvests coeval with two bad harvests in England, which create an unusual demand, while the revival of business in the United States has created a great demand for our lumber and other articles. This is a combination of circumstances such as now, in all probability, we may not see again for years. Yet the hon. Finance Minister practically says, that as this day is so shall all days be, only much more abundant. He does not remember that we may have again years like 1877,

when our net exports shrunk to less than \$3,000,000; that we may have another succession of five years such as those since 1875, during which the hon. member for Lambton was First Minister of the Crown. But he goes on and provides for a scale of future expenditure based upon a calculation that all the years of the future will be such as these two exceptional years which have just passed. I hold that in doing this he is not prudent. I hold that in doing this he is likely to impose burdens upon this country that will be found very onerous in the future. What do we find the United States doing with their swelling revenue, with this great tide of prosperity that has set in upon them? Are they increasing their expenditures lavishly? No, Sir, they are using those revenues to decrease the debt. They reduced it \$66,000,000 last year, they will reduce it \$100,000,000 this year; and in twenty years they will have wiped out their debt, while we shall have increased our debt as to be unable to meet our annual obligations.

Mr. PLUMB. Yet they have a high protective Tariff.

Mr. CHARLTON. We have heard all we want to hear of the hon. member for Niagara for at least a month to come. He reminds me of an old gray hen cackling over a goose egg under the agreeable impression that she laid it herself. The hon. member for Cardwell (Mr. White), whom I am sorry not to see in his place, attacked my hon. friend for West Middlesex (Mr. Ross) the other night, asserting that he had made a mistake in some computations with reference to the amount of charge per acre that the public debt of Canada imposed upon the improved lands of the Dominion of Canada at the present moment. The hon. member for West Middlesex, evidently without having made a close computation, gave in round numbers an estimate of what the public debt of Canada amounted to upon each acre of improved land in this country. The hon. member for Cardwell asserted that that computation was utterly preposterous. Let us see. The hon. member for West Middlesex asserted that the present debt of Canada amounted to a charge of \$9 per acre upon all the improved land in Canada. Now, I assume the debt at the present moment is \$162,000,000 in round numbers. On the 30th of June last it was nearly \$157,000,000, and at the rate of increase of the previous year it would now exceed \$162,000,000. The number of acres of improved land, in 1871, was 17,780,000, including Prince Edward Island. If we divide the figures representing the public debt by the number of acres of the improved land, we will have about \$9.10 and a fraction over upon every acre of improved land in this Dominion. My hon. friend did not take into consideration the fact that the quantity of improved land has increased since 1871, as it undoubtedly has. The population of the country probably has increased 10 or possibly 15 per cent. I estimate that the increase in the improved land has been 25 per cent., and that certainly should cover the increase. If the increase had been 25 per cent. since 1871, the number of acres of improved land, to-day, would be 22,225,000. If that is correct—and I think it will at least cover the increase in improved land—the public debt of \$162,000,000 represents a sum of \$.28 for every acre of improved land in this Dominion. The hon. member for Cardwell (Mr. White), in the course of his remarks, took occasion also to justify the Government in increasing the public debt. He told us that it was a matter of no great importance, and that we had no reason to be alarmed over the fact that we owed \$162,000,000. That was a mere bagatelle to the mind of the hon. gentleman. What was \$162,000,000, asked the hon. gentleman if we had value for it; if we got, for example, \$15,000,000 on the Intercolonial? Does the hon. gentleman call the Intercolonial good value for that sum? In my opinion, if the Government can sell it for \$3,000,000 they had better do so. Then said my hon. friend, we have

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\$13,000,000 which is due to the transference of burdens from particular Provinces to the whole people; and is not that all right. And, by the way, I believe we are to have another addition of this kind by the transference of a local burden from the city of Montreal to the whole Dominion. This may be a very nice thing for the localities, but it is rather hard on the Dominion. Then we have a great many other public works—we have a canal almost under our noses, the Rideau Canal—and how much is it worth? We have abundance of investments of that kind. We have the enormous sum of \$162,000,000 invested in non-productive property, some of which, so far from paying us anything, is costing us large sums in interest; such, for example, as the Intercolonial, upon the cost of which we are paying interest, and which also costs large sums for running expenses. Such investments as these are something like self-righteousness—the more of them we have the worse we are off. The Government of the day have given an enormous sum as a subsidy to the Syndicate for the very reason that a large portion of the road—the section north of Lake Superior and that in British Columbia—will be unproductive, and will cost millions to run them. That is a policy which will inevitably land us in inextricable difficulty, and if we do not cease to pursue it, it will prove to be a policy which cannot fail to result in the ruin of the country. I have trespassed upon the time of the House a little longer than I had intended, though there are some other topics upon which I have thought of making a few remarks. I have aimed to vindicate the policy of the late Government, and to show that, so far as the farmers of this country are concerned, they have been deluded by the promise that the National Policy would increase the price of their grain by the creation of a home market which would absorb their production. I have endeavored to show that the measure of prosperity we are now enjoying is due to other causes than the new Tariff; that we are but sharing with other nations a prosperity due to a combination of fortuitous circumstances apart altogether from trade policies, but a prosperity which I again warn hon. gentlemen we cannot expect to enjoy for many years. We should be cautious. We should retrench our expenditure and reduce our debts; and we should so manage our affairs as to guard against the possibility of finding ourselves involved in those troubles, in which we shall surely become involved if the prosperity we are now enjoying should not continue.

Mr. COURSOL. I know that the feeling of the majority of this House is, that this debate should be concluded as soon as possible. Nevertheless, I shall claim the indulgence of the House for a short time, in order to make a few remarks, and offer a few statistics, which may be of interest to the large city which has done me the honor of giving me a seat in this House. I am fully conscious of my shortcomings. When I venture to address the House on the general topics which are discussed, but especially so when that discussion has relation to matters affecting the city of Montreal—for I know that that city might require for the proper representation of its large and varied interests more ability than I can command. I share in the satisfaction which this House must have felt in listening to the precise, clear and remarkably able speech of the Finance Minister. The Budget speeches of a Finance Minister are always watched with a great deal of interest by members of this House, by the press, and by the country, as they are regarded as the barometer which indicates the rise or decline of the prosperity of the country. The Budget speeches of the hon. Finance Minister are always well received, and they deserve to be. They always contain some cheerful news for the country; and they always show how farseeing are his views, and how accurate are his calculations. Accuracy and prudence appear to be the

special characteristics of the hon. gentleman. I remember well the year 1878, when we went to the polls upon the platform of the National Policy. I pledged myself to that policy; we won a victory over our opponents, and I was anxious to see how the Finance Minister and the able statesman at the head of the Government would redeem the pledges that were made at that time. We were all rejoiced when, in 1879, the Finance Minister predicted that a new era was about to arrive in our commercial history, that new life was about to be infused into our industrial interests. This year had hardly elapsed when the dawn of brighter days was seen throughout Canada. Last year he announced a further improvement in the condition of the country. Notwithstanding the denials made in this House by the leaders of the Opposition party—gentlemen of high standing and great ability—notwithstanding the denials of their organs and the press, who have worked faithfully to decry the National Policy and hinder the advent of an improved condition of things, the whole country is now prepared to justify the Finance Minister in his adoption of that policy, and to say that it has been abundantly successful. We have been taught that Governments were made for the people, but later we were led to believe that the people were made for the Government, and we were taught that for a period of five years. We have had a Ministry who soared into so high a region that they viewed with complacency and indifference the misery and woes of those in humbler places. But the present Finance Minister took no such lofty and elevated view of the subject. He at once saw what he could do by practical and philanthropic legislation, he enacted wise laws, and he carried them into effect, and the result has been greatly to the benefit of the country. The Finance Minister, anxious to see with his own eyes the operation of his policy, visited the principal manufacturing cities of the Dominion. I believe, Mr. Speaker, the Finance Minister visited all the principal cities in the Dominion, and if his visit to Montreal created a deeper impression there than in the other places he visited, it was, perhaps, because our city being more populous than other cities, our sufferings were greater; it was, perhaps, also due to the fact that the people compared their position in 1878 to their position in 1879, and 1880 and 1881. The comparison was so strikingly in favor of the policy of the present Finance Minister that one and all approved of that policy. A rapid glance at the commercial condition of Montreal will show what the National Policy has done for the country at large, and our city in particular. It will show, too, the beneficial effects of that policy. We see factories which three years ago were working half time, now working full time. We see manufactories which were idle again in operation, and under the revival of trade, caused mainly by the National Policy, the manufactories are perfecting their working power to a degree which is really marvellous. We have manufactories springing up in every part of the city. We have, at the present moment, capital seeking investment which is entirely due, I believe, so far as Montreal is concerned, to the National Policy. I shall take the liberty to cite a few statistics to show what improvements have been made in Montreal, to show what position Montreal was in in 1878, and the number of manufactories then shut up. I regret I could not collect more, and most of those I have, I give from memory. They refer to the number of manufactories that were closed in 1878, the number of manufactories that have been in operation since, and the number of new manufactories established since 1878. Now, Sir, we have, among the new factories in Montreal, a new corset manufactory started by Mr. S. Lander from the United States. This manufactory will be on a large scale, and it is confidently anticipated that the return will pay the parties who have put their capital in the business. There is also the Hudon

Company's new bleachery, where they turn out white cotton cloth. I could read extracts from Montreal papers, and from papers published throughout the Dominion, speaking of the improvements in that manufactory, which will not only benefit the proprietors, but the people at large. When the improvements to this manufactory are completed, they will employ 300 additional hands. We have a new skate factory, which will be opened in March, by Dr. Brewster. The machinery will cost \$25,000, and here will be made 1,000 pairs of skates per week. We have Berger's lead works, whose capital will amount to \$125,000. This establishment was started in 1879, and the value of the goods turned out from that establishment will be \$200,000. It employs at the present moment only fifty hands, but that number will be very shortly increased I am informed. We have H. Steinson & Co., biscuit manufacturers; it was started in 1878, and employs seventy-five men. We have George McDougall, manufacturer of charcoal, etc. This manufactory was closed in 1878; they now employ some 200 men. We have also the Montreal Rolling Mills Company, now putting up a new building for the manufacture of boiler tubing, gas and water pipes, etc. It is a new manufactory in Canada and will employ a large number of hands. The number has been said to be between 200 and 300. We have also a large hammer and tool factory which will cost a large amount of money. The amount I have not been able to ascertain. We have the Merchants Cotton Manufacturing Company, now being organized with a capital of \$400,000, to make superior bleached cotton. It will have 250,000 spindles, and is to be located in or near Montreal, and will employ probably 500 hands. We have F. Abbott & Co., from Boston. They manufacture organettes, a new musical instrument, and but for the present Tariff this manufactory would never have been established in Canada. They will employ about 250 hands. We have also the Williams Sewing Machine Company. Now we come to the silk factories. It has been said for a long time that a silk factory would be established in Montreal, but capitalists who were anxious to establish a manufactory of that kind were not prepared to risk their capital and lose their time when they had no protection. They waited until this Tariff came into operation, and finding that the Government were sincere and prepared to carry out their pledges, and that the Finance Minister knew how business affairs should be conducted, they concluded they had no further risk to run. They became fully convinced that they could safely embark their capital. It was an easy matter to bring skilled artisans from Lyons. I believe there are two or three manufactories in the United States where silk is manufactured equal to the best Lyons silk. I believe there is one in New Jersey, and I read a paragraph in a newspaper some time ago to the effect that samples of that silk had been sent to connoisseurs, and especially lady connoisseurs, who had found it equal to imported silk. I believe a gallant Frenchman has sent a present to some ladies in Montreal. I believe that exhibition of French gallantry was the result of another silk manufacturer sending a sample of his goods to some ladies in another city. We have Corriveau's silk factory. It was started in 1890, to make broad silk, an article never manufactured before in Canada. They employ seventy-five hands, this year their producing power will be treble; buildings and machinery are to be erected to produce three times as much as at present. They will employ this year 150 hands. The Canada Silk Company is another institution, it is a new factory recently started for the purpose of manufacturing all kinds of sewing silk. It will give employment to about sixty hands, and they expect to employ as many more as soon as they are in full working order. We have also Belding Paul & Co.'s silk factory. They make all kinds of sewing silk, thread and twist; in 1878 they employed sixty hands, now they employ 110. They are also undertaking the manufacture

ribbons, and if that proves successful they will employ several hundred more men in that branch alone. The glass works of W. & D. Yuille, which were closed by American competition from 1876 to 1879, when they were started again, now employ 350 hands. The proprietors are perfectly satisfied, perfectly happy, in the hope of making in a few years a handsome profit from the large amount of money they have put into this business. There are also the new electro-plate works, which were started last year, and now employ forty hands, with the probability of a large increase. The work done by that company is simply magnificent—as fine as anything done in the United States or Europe. The new wall-room-paper factory, started in 1880, employs forty hands. Then there is Redpath's sugar refinery. It now employs 500 hands, and pays out over \$200,000 per annum in wages, in addition to which it indirectly furnishes employment to an enormous number of men, and it does a great deal of good. I can only say that I hope sugar refineries in this country will succeed, and that they will become more numerous; but they must watch their interests very closely, as there is another industry which is likely to come into competition with them, and that is the beet-root sugar industry. The Government of Quebec, by their liberality and foresight, have assisted and encouraged that industry, and in a few years, if it is developed, the country will reap a great benefit from it. I hope this Government will be generous enough to extend some privileges to those gentlemen who are endeavoring to establish this industry in this country, and also to relieve them, to some extent, from the duties on their machinery. We have also the new chinaware and white earthenware factory at St. Cunégonde, near the city. In 1878 the works were assigned in bankruptcy, but in 1880 they were started again under the new Tariff, and they now employ 80 hands. This year the works are being extended to double their capacity, and next year they will employ 160, or perhaps 200 hands. Now, Sir, I have spoken of a few new establishments only; I have not a complete list, as I had not time to obtain a list of them all. I shall now, with your permission, mention the foundries of Montreal, where steam engines, boilers and locomotives are manufactured. There are also being now manufactured in Montreal, for the Grand Trunk and the North Shore Railways, cars of the finest description, which can compare with the best Pullman cars. Some of those made for the North Shore road excited surprise and admiration from all who saw them. All this is directly due to the National Policy. In Montreal there is the nail factory, the horse shoe factory, the rubber factory, and the carriage factories. Gentlemen opposite may laugh, but if they had seen Montreal a few years ago, if they had been witnesses to the misery of many of the business men there, if they had seen the stores locked up for half the day, if they had seen the despondency of many of the large manufacturers, if they had seen how Montreal was made the slaughter market of American goods, they would have thought differently. Then there are the soap factories, the boot and shoe factories, and the brass foundries. We have among our manufactures, railway lamps—articles not previously manufactured in this country—coal oil lamps and burners. The first man who obtained a patent for these small ordinary burners in the United States made a large fortune, and I hope those who now make them on the improved pattern will also make their fortunes. We have also the manufacture of door hinges and knobs. In this connection, I cannot refrain from mentioning the name of our old manufacturer in Montreal, Mr. Chanteloup, who is well known all over Canada and in the United States. Mr. Chanteloup keeps a large establishment of brassware. In 1878 he was nearly ruined, thus sharing the fate of men like Messrs. Fleming, Brouse, Mitchell, Garth and others, all large manufacturers who could not find a market for their

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goods, owing to insufficiency of demand, and, therefore, could not give employment to a large number of their hands. In 1879, Mr. Chanteloup wrote a letter to the *Montreal Gazette*, which I find referred to in the *Industrial World*, a paper published in Ottawa, as follows:—

“Mr. Chanteloup, a large metal manufacturer in Montreal, has just performed a public service by writing a letter to the *Gazette*, in which he points out what Protection is doing for the country, in the development of many minor industries in the metal-working branches. He observes a great change since the new Tariff came into operation. From five to six hundred workmen are employed in Montreal alone, in the making of tools for ships, and many articles of small hardware, which before were all imported from the States. It was some time ago stated that, within a very limited radius in Montreal, there were then five thousand more hands employed than in 1878. Mr. Chanteloup's statement enables us to understand how this might probably be quite within the truth at the time, and how many more thousands will yet find employment under the genial, beneficent influence of the new policy. He mentions, further, the manufacture of coal oil lamps, telegraph instruments, clocks, church bells, brass buttons, gold and silver-plated and other articles for military and marine equipments—as broaches that before could not be profitably carried on in Canada, but are now well established. We are reminded here of the town of Berlin (west of Toronto, on the Grand Trunk), which before turned out buttons in small quantities, but which now has a considerable portion of its population employed in that manufacture alone. We might also mention other branches of industry—perfumery, fancy soap, envelopes, paints and oils of certain kinds, shoemakers' sprigs, tacks and brads, painted or figured cotton window shades, saddlery hardware, and other malleable iron goods in immense variety, locks and other builders' hardware, tools for various trades, articles of brass work, small and large, (and the list might be greatly extended), the manufacture of which has either been created in Canada, or largely extended by the legislation of 1879.”

Now I shall quote from the Toronto *Monetary Times* of 24th December, 1880, the following extract:—

“At no time within the last ten years have matters connected with the manufacturing interest in Montreal, given so much evidence of activity. The demand for factory premises and power is almost unprecedented, and it is stated that several Montreal firms, which wished to secure the lease of premises with water privileges on the canal, that have been vacant for several years, were somewhat surprised to find that they had already been engaged. At Cote St. Paul and the St. Gabriel Locks, it is stated that there is not a vacant factory, several American manufacturers of shovels, implements and general hardware, having engaged all the available premises, to begin operations in the spring. The number of applications for permits to erect steam engines in the city has been larger this year than for a number of years back.”

The statement has been made in one of the commercial papers, and it has been going the rounds of the press that there were 419 boilers made in Montreal during the two years 1879 and 1880, representing an aggregate of 12,570 horse-power. These boilers, further, represent a large amount of machinery to be kept in motion, and which necessitate the employment of a large number of men. Opponents of the National Policy might ask whether I pretend that the revival in trade and manufacture is due entirely to Protection. I am not prepared to say that the National Policy has worked alone these wonderful changes, but I am convinced that without Protection the improvement would not be nearly so great as it has been. We are so situated that our manufactures would have remained crushed for years under American competition were it not for the policy inaugurated by this Government. We would simply have continued in our position as brokers for American manufacturers, and our market would have been still a market for American goods. Not having the capital at our disposal of older countries such as England and France or as the United States, we could not have been able to compete against them without the aid of the National Policy. Our people would not have had the courage to risk their capital in large manufacturing enterprises were they not assured that this policy would be permanent. They waited for the National Policy, and are convinced now that they can go on, and are willing to do all they can to support it. In a short time, you will find not Canadians only, but Americans coming to this country, to bringing their energy and talent and money here, and establish manufactories. Is there a country in the world more adapted to manufacturing than Canada? As we travel through the country, we can everywhere see water powers

that can be utilized. But I need not go beyond my own city in order to discover facilities for manufacturing. Americans can come to Montreal with their capital, invest it there with advantage. We are not prepared to shut out our country to the Americans. We make them graciously come to our shores where they can obtain cheaper labor than is to be obtained in the United States. There is a large future in store for our country—a future full of encouragement. I have no doubt in regard to the future of this country, possessing, as it does, so many men of intelligence, capacities, and means, if they exhibit prudence in the conduct of their affairs. Prudence goes hand in hand with intelligences, and I am satisfied that under these conditions the prosperity of Canada will be assured. The hon. gentleman who has taken his seat said that last year the price of wheat in Chicago had risen largely, and that it was due partly to our own policy. The hon. gentleman ought to have known that about fifteen or eighteen months ago there was a ring, as there has always been more or less in those large cities, especially in Chicago, to keep up the price of wheat, and they kept it up from twenty to twenty-five cents over the market prices. To use a common expression they cornered it, and they kept it there until they were forced to sell. These are the kind of arguments that are advanced to prove that our country under the National Policy is not prosperous. We also had another argument made by the hon. gentleman, of a most ingenious character. He undertook to prove that, by the importation of Indian corn in 1877, the Canadians made a clear profit of \$400,000. Well, Sir, this must have been a matter of great surprise and gratification to the hon. Minister of Finance. But this \$400,000 must be somewhere. Some day we may, perhaps, be astonished by the announcement that the late Finance Minister has discovered the whereabouts of that sum. But, seriously, I have no doubt that the hon. gentleman believes what he says; he cannot, however, expect others to believe it. I was not in the House at the time, but I never heard that \$400,000 had been made in that way. I would be most happy if any hon. gentlemen would show me how that saving was effected. Something has been said with reference to farmers. We were told by hon. gentlemen that the National Policy had ruined the farmers. Although I live in a city I know something about farmers. Farming interests are represented in this House, and some hon. gentlemen are farmers themselves. I believe they will corroborate me when I say that the farmers are satisfied. Farmers were never better satisfied. They are selling their products at remunerative prices. They are happy under the present system. The hon. gentleman also alluded to the shipping interest of the United States as an argument that a protective policy was ruinous to a country. The United States have lost their shipping to a great extent because they were not prepared to build again. The hon. gentleman's comparison of the national debt of the United States with ours was not a fair one. The debt of the United States was incurred in war, ours was incurred in the development of the country, in fostering its industries, and in augmenting its prosperity. Now, Sir, a great deal has been said about the exports and imports from and to this country. I hold in my hand a statement of what our position in this respect actually is. I have first to refer to the number and tonnage of sea-going vessels entered at the port of Montreal during the following years: 1876, 602 vessels, tonnage 391,180; 1877, 513 vessels, tonnage 376,859; 1878, 516 vessels, tonnage 397,266; 1879, 612 vessels, tonnage 506,969; 1880, 710 vessels, tonnage 628,271. The aggregate receipts of grain, flour and meal at Montreal for the following calendar years, from January 1st to December 31st, was, in 1877, 18,825,184 bushels; 1878, 21,934,170; 1879, 23,192,749; and in 1880, 26,187,324. The aggregate shipments from Montreal were, 1877, 17,346,678 bushels; 1878, 20,899,187 bushels; 1879, 22,725,944 bushels, and in 1880,

27,091,130 bushels. The shipments of the same from Montreal, in sea going vessels, were in 1877, 14,161,683 bushels; 1878, 16,372,425 bushels; 1879, 19,180,413 bushels; 1880, 24,562,373 bushels. By the wise action of the Government in that respect, Montreal will increase its facilities for access, and it has taken the preliminary steps towards the tunnelling the St. Lawrence near that city. That is an enterprise which I hope will be successful. It is in the hands of capitalists who are able to push it through, and the surveys are being made by an engineer of high reputation, Mr. Walter Shanly. Montreal is desirous of being accessible from all points. She knows that her position is such that trade must necessarily reach her from all quarters, and she is anxious to have her harbor dues so reduced, that vessels may anchor at that port as cheaply as, and if possible more cheaply than, at the ports of Boston, New York or Baltimore. It may be well to mention that the Harbor Trust is now saddled with an enormous amount of interest, contracted for the deepening of Lake St. Peter. That work was a national work, carried out for the benefit of the Dominion; it was so considered by the hon. gentleman who for so many years so ably led the Liberal party. It is in Montreal that vessels from across the seas will distribute their goods for the western parts of Canada. It is there that vessels from the West will leave their goods for shipment to the Maritime Provinces, and it is there that they will obtain their return freights. I am sure that both the Maritime Provinces and the Provinces farther west, in their desire for the prosperity of the Dominion at large, will say, as business men, that they want the trade of the world, no matter whether it may come by the port of Montreal, Quebec or Halifax. What they want is the best port, no matter where that port may be. It would not be fair that the Harbor Trust of Montreal should bear all this expense; or that they should be compelled to levy such high tolls, that it would drive away trade instead of attracting it. We have formidable rivals in the ports of the United States, which are progressing at a very rapid rate, and it is only by such a scheme as that of which I have been speaking, and possibly by the expenditure of large sums of money, that we can hope to compete with them. I trust that this scheme will be favorably considered by the Government. I have no reason to know whether they are favorably disposed towards it at the present moment or not, but I think they ought to be. I believe that this House, and the country at large, would support them in so regarding it. It behoves this Government, who have done so much for this country by the National Policy, who have given new life to all our industries, to win this last mark of public approval, whatever may be their fate hereafter. I am satisfied that the present Government—and their successors will be in the same position—will not lose sight of our interests in that particular; and if they do not, if they continue true to their course, true to themselves, and true to the people, they will continue to possess the confidence of the public, and certainly the confidence of the loyal, the patriotic, and the great Conservative party of Canada.

Mr. BURPEE (St. John). I notice that in all the speeches made from the other side of the House, one prominent assertion is invariably made, and that is to charge the late Government with the depression which existed from 1876 to 1878. They also claim that by their restoration to power, and by the operation of the National Policy, prosperity was restored to the country. Now, when it is known that, from Confederation down to 1873-74, the country had seven or eight years of great prosperity—that every industry of the country, including that of agriculture, was prosperous and profitable; that the imports of the country had grown from \$78,500,000 to \$128,000,000; that the exports had increased from \$57,000,000 to upwards of \$90,000,000; that the revenue of the country had increased from \$13,500,000 to

\$24,500,000 that our expenditure had also increased from \$13,500,000 to \$24,500,000—when it was known that all these rapid increases took place during these years of prosperity, we might be sure that when a depression did come it would tax the people of the country to the utmost and be felt very severely throughout the whole Dominion. Depressions are certain to follow periods of prosperity. I might call the attention of the hon. gentlemen opposite to the depression that existed between 1858 and 1864 in all parts of this country. In old Canada there was a deficit then of \$12,150,000. We paid interest at the rate of eight per cent., and her bonds were selling at 75 cents on the dollar. It was under Tory rule this great depression existed, with this great falling off in the revenue. We have had periods of depression in the past and we will have them again. The Government are pursuing the same course now that they did between 1868 and 1873. They are not only increasing our revenue by increasing the taxation, but they are increasing the expenditure to an enormous extent. As we go on increasing our expenditure and our taxation, the result will be, by-and-bye, that when another period of depression comes, as come it surely will, we shall have other deficits larger than those which have already taken place. When the late Government came into power they assumed a debt which necessitated a provision for nearly \$4,000,000 of additional taxation, as a result of the imprudent policy of their predecessors. It must also be remembered that importations at that time decreased very largely, not owing so much to the quantity as to the value of the goods that were imported. During the years 1876, 1877, and 1878, there was a depreciation in the value of the goods imported from Great Britain of from 35 to 50 per cent. Iron goods depreciated in value from £12 to £6 per ton. Hardware depreciated some 35 per cent. Cotton and woollens depreciated largely, and during those three years this depreciation was so large that the revenue loss was equal to \$4,300,000. That estimate was made by experienced importers based upon careful data. That sum would more than pay the deficit that took place during these three years of \$4,100,000 under the late Government. If we take into consideration that decrease in the revenue, and also the enormous burdens assumed by the late Government as a legacy from their predecessors, is it any wonder that these deficits occurred? The hon. the Finance Minister referred in his speech to his having left the country in 1873 in a prosperous condition, to having a surplus each year and a large revenue to meet all the expenses. He said that, on his return to Parliament in 1879, he found the country under great depression and everything in a most lamentable condition. The improvement that has since taken place he attributes almost entirely to the National Policy, leaving but very little to the credit of Providence. The depression that took place during our Administration, existed not alone in Canada but throughout the United States, Great Britain and Europe. The cause of our present improved condition is due to many causes, and very largely to the increased prosperity in the United States, which has reacted upon this Dominion. The increased prosperity in the United States has stimulated a demand for Canadian lumber, and for some others of our products. The citizens of Ottawa are aware of a greatly increased lumber trade, and in almost every instance the lumber has found a market in the United States from this locality, and in Great Britain for the Maritime Provinces.

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

#### AFTER RECESS.

Mr. BURPEE. In addition to the advantages we have derived from the improvement of the lumber trade, we have had, during the past two years, excellent agricultural crops, and our exports have been exceedingly large, not only in

Mr. BURPEE (St. John):

grain of all kinds, but in animals and their products. During the year ending June 30th, 1880, the excess of our exports of lumber, animals and their products, and grain over our exports for the year 1879 was \$10,000,000; during the six months ending December 31st, 1880, our exports of these same productions exceeded our exports for the six months ending December 31st, 1879, by \$10,000,000 more. During these eighteen months \$20,000,000 worth of our lumber and agricultural products were sold in the markets of the United States and Great Britain, and that amount of cash came into this country. This has put a vast amount of money into circulation, and gives our manufacturers an increased trade also. I do not wish to ignore the fact that our manufacturing industries contribute largely to the prosperity of this or any other country where they exist; but I contend that under a revenue Tariff, with the exception of the sugar refiners and the cotton and woollen manufacturers, our manufacturers were in as good a position as they are now under a protective Tariff. In 1871-72 our manufacturers were exceedingly prosperous in all parts of the Dominion. But in a period of great depression, they naturally suffer in common with other industries. Compare the excess of our exports of lumber and farm produce of amounting to \$20,000,000 during the past eighteen months, which sum came into the Dominion, with the previous three or four years of depression, when there was a decrease in those exports of over \$15,000,000. When we consider these large exports, I think we find in them an explanation of the prosperity we now enjoy, which are in no way benefitted by the National Policy. The net increase in the exports of 1880, as compared with those of 1879, was: of lumber, \$3,593,000; of animals, \$3,507,000, and of agricultural produce, \$2,700,000, making, in round numbers, \$10,000,000. To show how our exports of farm produce have increased in grains alone, I may say that in 1877 the excess of exports over imports was 2,489,000 bushels; in 1878, 10,313,000 bushels; in 1879, 12,653,000 bushels, and in 1880, 21,597,000 bushels. The excess of exports over imports in wheat and wheat flour was 6,889,000 bushels; in barley 7,226,000 bushels, and in other grains 9,408,000 bushels. To show in another way how our production of grain has increased, I may say that in wheat and wheat flour our production was less in the year 1877 than our consumption by 2,402,921 bushels; but in 1878 our production exceeded our consumption by 3,688,000 bushels; in 1879, by 6,324,000 bushels; and in 1880, by 6,889,400 bushels, showing a surplus for last three years of 17,000,000 bushels over production. All this proves that our farm products have very greatly increased within the last three years, which accounts very largely for our increased prosperity. From 1870 to 1874 our increased expenditure followed closely up with our revenue, and from the statement of the hon. Finance Minister as to the expenditure of 1881, and the estimated expenditure of 1882, the same process is going on now under the new system of taxation by the same Government. As our revenue and expenditure increases, our debt increases also, and if the Estimates for 1882 are carried out our debt will reach \$184,000,000, which is equal to about \$43.50 per head of the population. With this increasing expenditure going on year after year, and this growing debt, we shall find, when the times change, as they surely will, when the crisis comes, when an end comes to the speculative and extravagant expenditures now going on, we will be driven into the same depressed condition as we were in 1876, 1877, and 1878, and we shall experience deficits immeasurably larger than any we have had since Confederation. The expenditures in the North-West are assuming immense proportions. According to the statements made and the Estimates brought down, the expenditure on the Indian service will reach \$350,000 this year. On looking over the Public Accounts for several years back, I find that for the items of the North-West Mounted Police, Indians, Dominion lands, Dawson route and Dominion forces, our expenditure

each year was as follows:—In 1871, \$949,000; in 1872, \$1,081,000; in 1873, \$795,000; in 1874, \$1,052,000; in 1875, \$1,191,000; in 1876, \$1,479,000; in 1877, \$1,124,000; in 1878, \$980,000; in 1879, \$1,100,000; in 1880, \$1,500,000; or a total of \$11,793,000, that the North-West and Manitoba received out of the public Treasury since 1870 for these five items. The hon. Minister referred to statements in previous speeches about the charge that their policy would break up the Union of the Provinces. I do not believe there is any danger of breaking up the Union. Our people are an enterprising people who will stand almost any emergency, and our country will have prosperity as well as times of depression. I have faith enough in the country to believe there is no danger of breaking up Confederation, but what a Government have most particularly to guard against is, keeping our people from being discontented. The policy of this Government is not one calculated to make the different Provinces contented; it is not such as was promised at the time Confederation was formed. Then it was understood, especially by the Maritime Provinces, that our taxes would not be increased, now they are more than double. In that respect those Provinces are very much disappointed. They are discontented at the largely increased expenditures made and going on in the western part of the country, and with their trade relations with the western Provinces. They were led to believe that their manufacturers would increase rapidly, that they would have a large export as well as import trade between those Provinces. To-day, however, their exports are not very much larger than they were before Confederation, while their imports, several millions annually, are excessively large, and increased by the operations of the National Policy. The hon. Finance Minister, in referring to the taxation of the different Provinces, spoke particularly of the Lower Provinces, but unfortunately he compared the years 1879 and 1880, when it is well known the new Tariff was in operation a part of 1879. The comparison between those two years was, therefore, an unfair one. The hon. member for Niagara referred to the duty collected in New Brunswick which, he said, in 1877 was 28 per cent. and to-day but 21½ per cent. That is an error in the return. The duties on our imports in 1877 were 15½ per cent., instead of 28 per cent. as stated, thus showing an increased rate of 6 per cent. instead of a reduction. To show the nature of the trade in the different Provinces and the taxation, let us compare Ontario and Quebec with Nova Scotia and New Brunswick since Confederation. In 1866, the imports of Ontario and Quebec amounted to \$53,832,139, and the rate of duty was 13½ per cent. The average importation for 13 years from 1868 to 1880 for Ontario and Quebec was \$75,147,541 annually, making an increase in the year 1880 of \$21,345,222 over the year 1866, and the duty in 1880, as compared with 1866, was 19½ per cent., an increase of 5½ per cent. The imports of Nova Scotia in 1866 amounted to \$13,025,433, and the rate of duty was 9½ per cent. In 1880, the imports amounted to \$6,133,938, a decrease of \$6,886,000 between the two years of 1866 and 1880, while the rate of duty was increased from 9½ per cent. in 1866, to 20 per cent. in 1880, an increase of 10½ per cent. for Nova Scotia, against 5½ per cent. for Ontario and Quebec. The decrease of imports for the thirteen years, from 1868 to 1880, as compared with 1866, was \$55,000,000, or \$4,238,000 a year for Nova Scotia. In New Brunswick, in 1866, the importations were \$10,000,794, and the rate of duty was 10 per cent.; in 1880, the imports were \$3,996,698, and the rate was 22 per cent., an increase of 12 per cent. If we take the importations of 1866 for New Brunswick and apply the Tariff of 1880 to each item, we would obtain for Customs alone \$2,845,000, or 28 per cent. tax as against \$1,033,609 in 1866. This shows most conclusively the rate of increased taxation upon importations of the Maritime Provinces. If we take an average of thirteen years for New Brunswick, between 1868 and 1880, we have a

decrease in the importations as compared with the year 1866, of \$3,000,000; and we now pay a Customs taxation of \$2,845,000 per annum as compared with \$1,033,000 for 1866. The rate, in 1866, of Ontario and Quebec, was 13½ per cent.; in 1869, it was reduced to 11½ per cent., and in 1880, we got back to 19½ per cent. The rates for Nova Scotia and New Brunswick were as follows:—In 1866, Nova Scotia, 9½ per cent.; New Brunswick, 10 per cent.; in 1869, Nova Scotia, 13½ per cent., New Brunswick, 14 per cent.; in 1880, Nova Scotia, 20 per cent., New Brunswick, 22 per cent. This shows the nature of our taxation. It is not at all likely that our consumption in the Lower Provinces is any less to-day than it was in 1866. The probability is it is a great deal more. Our people have increased as a consuming population, whether they have increased in number or not. There is no doubt but our imports in Nova Scotia and New Brunswick to-day are larger than in 1866, and this enormous falling off in Nova Scotia and New Brunswick imports, is supplied from Ontario and Quebec, and this will increase as taxation increases. In Nova Scotia, in 1866, the Tariff of to-day, if applied to the importations then, would have produced \$3,156,000 of Customs; so that the taxation of the Lower Provinces, under the operation of the Tariff to-day, is considerably over double what it was before Confederation. I produce these figures to show that, in addition to the enormous increased burdens of taxation, the great decrease of their trade is a cause for dissatisfaction, and no wonder. The very fact of the importations of New Brunswick being reduced from \$10,000,000 in 1866 down to \$3,996,000 in 1880, is something that is alarming. The hon. Minister of Finance referred to the statement made by me in the year 1879, in this House, that the Tariff, if applied, item after item, to the importations of 1878, would produce increased taxation, something like \$7,000,000, doubted the statement. I most distinctly stated that if the Tariff then introduced was applied to the importations of that year it would produce that result. There is one plain way of proving the truth of the greater part of the calculations at once. In 1878, the imports for consumption amounted to \$91,199,577, on which a duty was collected of \$12,795,693. In 1880, the Tariff, according to the Trade and Navigation Returns, averaged 19½ per cent. That applied to the importations of 1878 would produce a revenue of \$18,126,000; which gives an excess to the importations of 1878, of \$5,330,000. That does not prove the whole case. The Tariff has changed the importations of certain articles in such a way that it will produce more if it is taken item by item and applied to the imports of 1878; but, in order to make it plain, I have just taken the Tariff of the two years, and the result is an excess of \$5,338,000. I maintain also, as I will show further on, that we have lost in revenue \$7,730,000 on the sugar duties; that is loss of revenue other than what it would have been under the old Tariff. And that must be added to the \$5,330,000, making \$6,060,000, of which I spoke in 1879. This it is impossible to contradict, and if we applied the Tariff item by item it would produce the difference between that and \$7,000,000. With regard to manufactures, I do not think, with the exception of the cotton and woollen factories, and sugar refineries, the manufactures taken together are any better off under the present Tariff than under the revenue Tariff of 1878, in consequence of the increased taxation on machinery and raw materials.

Mr. RYAN (Montreal). What about the silk manufactory?

Mr. BURPEE. We will come to that by-and-bye. The Minister of Finance the other day compared the prices of cotton goods in Canada with those in the United States. Such is not a proper comparison. The duty on cotton goods coming into the United States is equal to 50 or 60 per cent. It would be very strange if Canada could not produce cottons as cheaply, under those circumstances, as a

highly protected country like the United States, and no argument in favor of the cheapness of cottons in Canada was applicable by a comparison of prices in the United States under a highly protective tariff. I would like to know on what principle we admit machinery of all kinds for the manufacture of cotton and woollen goods free of duty and tax heavily other manufactures. We admit the raw material, dye-stuffs, and machinery used in these manufacturing industries, all duty free. Last year the profits of the cotton factories were from 30 to 40 per cent. on the manufactured articles; they are enjoying enormous protection, and are declaring profits equal to 40 per cent. The question arises as to why cotton and woollen manufactures should be so highly protected, and have all machinery free, while much less aid is given to other industries struggling for existence. Why should not the carriage manufacturers, the boot and shoe manufacturers, the founder, furniture and agricultural implement maker have their machinery free also. I have obtained statistics from these manufacturers, and I find the following comparisons under the Tariff of 1878-79, as to increased taxation: carriage manufacturers, tax on machinery increased from 10 to 25 per cent., materials from 13½ to 23 per cent. Boot and shoe manufacturers: machinery, from 10 to 25 per cent.; materials, from 10 to 19 per cent. Foundry manufacturers: machinery, from 10 per cent. to 25 per cent.; materials from 4½ to 14½ per cent. Furniture manufacturers: machinery, from 10 to 25 per cent.; materials, from 5½ to 8½ per cent. Agricultural implement makers: machinery, from 10 to 25 per cent.; materials, from 6½ to 16 per cent. Pail manufacturing: machinery, 10 to 25 per cent.; materials, 6½ to 20 per cent. The same remarks apply with respect to sewing machines, musical instruments, &c. Those increases of duty on the raw materials and machinery used for manufactures are equivalent to the additional duty placed on the manufactured article imported from abroad, and these facts substantiate my statement that, with the exception of cotton and woollen manufactures and sugar refineries, the manufacturers are no better off than under the former revenue Tariff; indeed, they have this disadvantage, of being compelled to use more capital to carry on their business than under the old Tariff. With respect to the lumber business, the Finance Minister stated that the increased duties were only about one per cent. I have taken pains to ascertain the increased rate of duty on lumber supplies in New Brunswick, and I find it has been increased from 10½ to 22 per cent. This industry has an estimated capital in Canada of \$100,000,000. Its exports and consumption are \$30,000,000 worth annually on an average. The cost of labor in this lumber trade is estimated at sixty-five per cent. of the value of the lumber; all this shows that this is an industry very lucrative to the country, and which should not have been subjected to such additional taxation. This trade so fluctuates that very few engaged in it for a series of years make fortunes, but the country benefits, as it gives employment to 84,000 men, and supports 400,000 of the people of Canada. This calculation has been carefully made by some of the most experienced lumbermen in the country, and I believe the Finance Minister will find it perfectly correct. The member for Montreal (Mr. Coursol) spoke of the shipping trade, saying the Tariff in regard to the shipping interest was perfectly satisfactory. I know that it is not to the shipbuilders in New Brunswick. A number of the most experienced shipbuilders in New Brunswick submitted to the Finance Minister an estimate of the taxation under the new Tariff, at \$1.85 cents a ton, as compared with 80 cents before, which, I presume, includes some things manufactured in the country. But I maintain, and so will the country and shipbuilders, that whether the products of the country be included or not, the new Tariff raises their price to an equality with the articles imported. It is a sound principle of political economy that under protection prices will

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increase in proportion to the duties on the imports. In 1865 the duty per ton on ship materials was 52 cents; in 1863, 60 cents; in 1878, 80 cents; 1879, accepting an estimate prepared by shipbuilders, which I think is correct, it was at least \$1.85 cents per ton. I believe the new regulations as to drawbacks made last year is satisfactory, so far as the mode of its payment goes. But the shipbuilders complain that it is not large enough, and does not make up what they have to pay in addition to the Tariff of 1878. To show how the shipbuilding industry has declined, of late, I will give some statistics with regard to the Lower Provinces, beginning with Nova Scotia. The tonnage of ships built in Nova Scotia in 1872, was 52,882 tons; 1873, 63,000 tons; 1874, 74,769 tons; 1875, 81,800 tons; 1876, 69,087 tons; 1877, 50,530 tons; 1878, 47,639 tons; 1879, 50,975 tons; and in 1880, 38,252 tons. In New Brunswick there was built in 1872, 36,465 tons; 1873, 42,701 tons; 1874, 46,663 tons; 1875, 47,966 tons; 1876, 38,794 tons; 1877, 33,115 tons; 1878, 26,306 tons; 1879, 52,135; and in 1880, 14,528. This shows that the shipbuilding trade in the Lower Provinces is now reduced to the smallest proportions known since the year 1830. The Finance Minister also referred to the exports of shipping, to show that the increase in the amount in 1878 was largely due to a transfer in shipping from the people of Nova Scotia, New Brunswick and Prince Edward Island, to parties to whom they were indebted in Great Britain. I never heard that argument before, and I believe there is nothing in it. The shipbuilding in the Lower Provinces has been maintained in the hands of the original owners almost exclusively—and the exports form only a mite of what is built. It is rare that ships built are not owned by a large number of persons who can afford to hold their shares. The result would be, in the case of great depression, the parties who built and owned them would not sacrifice, or sell at an unremunerative price. In that year the shipping that was sold was something like \$40 per ton, which would not have been the price if it had been transferred under mortgage to other parties. The shipping sold in previous years will answer the argument used by the Finance Minister. For example, in 1876 we exported shipping to the amount of \$2,189,270; in 1877, \$1,576,244; in 1878, \$1,218,145; in 1879, \$529,824; and in 1880, \$464,327. This shows that there has been a great falling off under the new Tariff, even with the few ships we build for sale. Increased taxation from time to time does very much militate against this industry in the Lower Provinces. We might bring a parallel case to show the nature of increased taxation on the shipping interest. If we go to the United States, we find that, in 1856, 75 per cent. of their carrying trade was done in their own vessels; in 1870 it was 35 per cent., and in 1880 only 17 per cent., showing that the carrying trade of that country has almost entirely gone out of its hands. High taxation has driven its ships from the sea. With regard to manufactured goods, we do not find that the great increase in manufacturing in Canada, so much talked about, has stopped the importation of foreign goods, as the following table will show:

	1878.	1879.	1880.
Agricultural Implements.....	\$126,326	\$241,523	143,725—
Books.....	834,370	797,011	935,079+
Candles and Soap.....	99,490	103,296	90,338—
Carrriages.....	85,634	136,725	137,443+
Coardage.....	227,915	192,646	150,028—
Cottons, manufactured.....	7,254,818	6,528,588	7,863,904+
Grindstones.....	13,752	16,457	11,750—
Gypsum, ground.....	16,488	65,830	77,397+
Hats and Caps.....	1,053,865	938,583	968,531+
Indian Rubber, manufactured.....	249,061	237,111	456,319+
Machinery.....	516,035	427,154	507,942+
Iron, Hardware, etc.....	8,506,578	7,108,978	10,039,236+
Miscellaneous.....	4,561,149	4,763,878	4,210,521—

So we might go on with many other articles, and show that the importation of goods into the country is not stopped by putting on a large taxation. The same result is shown by the returns in the *Canada Gazette* for the last six months. These statistics prove that all the protective tariffs you can put on a country will not have the effect of decreasing importation if the country is prosperous. The following figures show the increases which have taken place in the imports by the United States of British goods in 1880, as compared with 1879:—

Cottons.....	\$ 10,001,056
Flax.....	8,077,038
Glass-ware.....	2,000,000
Iron and steel.....	44,271,972
Leather.....	4,648,179
Silk manufactures.....	8,175,292
Sugars.....	6,895,485
Tin manufactures.....	7,075,806
Tobacco.....	1,500,000
Woolen goods.....	28,251,697
Zinc, etc.....	3,459,000
Agricultural produce.....	154,548,882

These figures show that what is true of Canada under a protective system has been demonstrated by the experience of the United States. Now, with regard to the sugar question, the following figures show our importation of that article in 1878, with the value and the duty:—

	Quantities in lbs.	Value.	Duty.
No. 13 and above.....	93,480,878	\$5,419,715	\$2,289,840
9 to 13.....	10,624,336	517,528	209,066
Below 9.....	1,108,065	44,825	16,749
Melado, &c.....	16,854	438	173
Syrups, &c.....	3,711,747	115,101	51,974
	108,951,920	\$6,097,617	\$2,567,802

Now, if we add the increased quantity imported in 1880 to the imports of 1878, and maintain the same proportion of quantities as 1878, the application of the 1880 Tariff would produce a revenue of \$2,753,941, whereas the revenue produced only \$2,026,692, thus showing a loss to revenue amounting to \$727,249. Now, with regard to the taxation upon sugar, I have made an analysis of the prices in New York and Montreal for the 12 months ending in June last. I received a regular weekly circular from a large sugar house in New York, showing the prices of their sugar in bond for each week during that period. I took the average from these circulars. I find that the average for the year is \$6.13 per 100 pounds, adding the duty according to the Tariff of 1878, that is \$2.53, and we have \$8.66. I make the average for Montreal during the same period five cents less per hundred pounds than the Minister of Finance, that is, \$9.70. Deducting \$8.66 from \$9.70 we have \$1.04, which represents the additional taxation on every hundred pounds of granulated sugar sold in the Dominion, under the new Tariff. So far as Montreal is concerned, as it is close to the refiners and the cost of carriage is small, the amount will not, perhaps, be quite so large, but for other parts of the Dominion the cost of carriage will be greater than from New York. Last summer the carriage of sugar from Montreal to St. John cost 35 cents per 100 lbs., while from New York to St. John it was only 15 to 20 cents per 100 lbs. That rate would also apply to the western part of Canada, to Nova Scotia and Prince Edward Island. Therefore, it is a fair presumption that the excess of charges on the largest proportion of consumers in the Dominion would offset what was consumed in the city of Montreal. I think the comparison is a correct one, and it shows that \$1.04 per 100 lbs. is the additional taxation on sugar consumed in Canada, and a loss to revenue, as compared with the old Tariff,

of \$727,249. The diversion of trade, caused by the operation of the refinery business, affects, to a great extent, the shipping interest that was referred to by the Minister of Finance. Sugar, whether imported raw or refined, has to pay the freight. Wherever the sugar is imported to it pays the freight, and as it is mostly brought to Montreal, the freight is collected there. The trade has been diverted almost entirely from Ontario and the Lower Provinces to Montreal. In 1878, Ontario imported 59,000,000 lbs. of sugar; in 1880, Ontario alone imported 18,299,000 lbs.; in Quebec in 1878, the importation was 31,364,000 lbs., while in 1880, it had risen to 83,504,000 lbs. In 1878, Nova Scotia imported 7,966,000 lbs.; in 1880, 8,614,000 lbs., a very slight increase indeed, when you consider the promises that were made of a great increase in the importations of West India sugar to Halifax. In 1878, New Brunswick imported 6,730,000 lbs.; in 1880, 3,949,000 lbs. All this shows conclusively that the sugar trade has been diverted from Ontario and New Brunswick to Montreal. I do not intend to take up the time of the House any longer. I think I have shown conclusively that the Tariff has not operated in the interests of our people, and that the increase of taxation, necessitated by the increased expenditure, will produce, before many years, deficits larger than those we had in 1858 and 1864.

Mr. PATTERSON (Essex). It appears to me that if the hon. gentlemen opposite had followed the example of the hon. and gallant knight for Centre Huron (Sir Richard J. Cartwright), and confined themselves more to the general subject, we would have got through this debate more expeditiously. The proper time to enter into a comparison of details is when the House is in Committee, where the Ministers can give the reasons for any slight increase in expenditure which may have taken place. I listened with great pleasure to the speech of the hon. the Finance Minister, and was much gratified at the exhibit he presented us of the prosperous state of the country. I was also much impressed with the manner in which the hon. and gallant member for Centre Huron delivered himself of the funeral oration on the period of deficiencies, now happily past, which came so fittingly from the hero of deficits. I think that his manner was impressive and well adapted to the occasion, and that he seemed, himself, to feel the solemnity of the speech he was delivering. I think it is hardly fair to taunt the hon. gentlemen on the other side of the House with the undemonstrative silence with which they listened to the speech of the hon. the ex-Finance Minister. I think they showed a due appreciation of the situation. It was really a study to witness the severe expression on the benign countenance of the hon. member for West Durham (Mr. Blake). He seemed to have the air of a perpetual lay delegate to a pan-Anglican Synod as he sat there and listened to the funeral oratory of his gallant friend. But although hope is said to spring eternal in the human breast, and although the hon. gentleman had expressed the hope that when he returned to power he would restore the period of deficiencies, still hope did not seem to animate him on that occasion for he sat far more the picture of despair than of hope. I regret that the hon. and gallant knight is not in his seat, as I desire to make some comments upon his career. I was going to refer to a speech he made on one occasion when he informed his audience, and through them the Canadian public, of the feelings which inspired his manly bosom when a student at old Trinity he heard how his beloved native country, Canada, was being dragged through the dirt by the Reform Administration of the day; how the corruption and iniquities of that Administration made his heart burn within him; how he swore to himself that if Providence would spare his life he would devote it to rescue his country from the hands of those pseudo-Reformers. Contrast the resolution of his earlier years with the performance of his later years; he

presents, indeed, a melancholy spectacle to-day, like memory standing by the grave of hope. He little expected in those earlier years that he was to be the financial hero of a period which will be associated in the minds of the people of Canada with the greatest depression and fiscal mismanagement which we have seen for a generation. For my part I do not know how other gentlemen are affected, but I cannot bear to see the tears of bearded men. I cannot bear to see gentlemen overcome by their feelings as deeply as I saw one or two hon. gentlemen when the ex-Finance Minister was delivering himself of that funereal oration. Crossing the House I quietly took one of my hon. friends opposite out into the smoking-room. While he was wiping his tears away I asked him, "What ails thee, brother? Why weepest thou?" As soon as his feelings would allow him utterance he confided to me that he was weeping at the thought of what might befall his children when Mr. Blake returned to power and re-introduced that system which prevailed during the late Administration. I comforted him with the assurance that probably neither he nor I would live to see that day, and he seemed to take a great deal of comfort from the assurance. There was one improvement I noticed in the speeches of the hon. members for West Middlesex (Mr. Ross) and North Norfolk (Mr. Charlton), which gave me pleasure, as it doubtless did to the House, and that was the absence of the attacks upon the manufacturers and industrial classes generally, which characterized their utterances in previous years. We did not hear so much from the hon. member for North Norfolk about manufacturing robbers who are going to prey upon the vitals of the country, about men who are going to amass riches at the expense of the workingmen and artizans. We did not hear so much about the ruin that is going to be wrought, the depopulated towns and villages, as we did when that hon. gentleman spoke on this subject the two last years. The hon. ex-Finance Minister and those who followed him were compelled to admit that the country is prosperous, although they had told us that it would have been more than a miracle if the hon. Finance Minister could bring about the prosperity which he had declared he could, and although they still decline to admit that the National Policy has had anything to do with producing the prosperity. Very satisfactory it is to have their admission that the country is prosperous, although they wrestled hard against making the admission, and tried to fence themselves about with various reservations as to what this and that particular industry had effected. They still look forward in the hope that a bad harvest may enable them to gloat over the misfortunes of the farmer, so long as it will give them a little political stock-in-trade. I think I am justified in saying that on all occasions in this House and out of it, they make a most unseemly display of exultation when any misfortune befalls any section of the community or any Province of the Dominion. They seem to think they can only attain to power when the country is suffering; I believe these gentlemen would really prefer to see the country suffer if they could return to power than to see it prosperous if that prosperity were to be coincident with their exclusion from office, and I believe that is the opinion held by the bulk of the country. If we are to judge by the fact that since the general election their candidates have on all occasions failed to obtain any advantage at the polls over the Ministerial candidates, we must see that they have not in the slightest degree rehabilitated themselves in the good opinion of the constituencies. Even the Moodys and Sankeys of the Opposition who during the past two years, in tuneful harmony, have been singing the praises of deficits and harping to the ruin of the country—even they have ceased to employ themselves in that congenial occupation. Even they now admit that the country is prosperous, and instead of attempting to

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convert the miserable sinners on the Ministerial benches they, rather by what they leave unsaid than by what they say, more than half admit their conversion to the views of the hon. Finance Minister. We on this side of the House have been taunted from time to time with the failure of an immediate return to prosperity, which they say the right hon. leader of the Government promised, should the election of 1878 turn in his favor; but I think we may very reasonably infer from that that the depression turned out to be so great, and the financial ruin of manufacturers and business men generally prevailed to such an extent, that it was impossible under the most favorable circumstances for the reaction to be more speedy than it has been. But I claim that there was an immediate reaction; that as soon as it was known that the right hon. leader of the Government was to be reinstated in power, and that the hon. and gallant knight of St. John was to be again Finance Minister, a feeling of confidence inspired the people generally, and they felt that they could rely on the man who had managed the affairs of this country so successfully up to 1873, and who when he left office to assume the highest position in his native Province, left a large surplus in the Dominion Treasury. They felt that men were coming into power who would, by wise legislation, protect the industries of the country, and foster its struggling manufactures. Although there was not much activity in manufacturing centres until after the policy was developed, now two years ago, still since it was developed a great additional impetus was given to manufacturing industries throughout the country; and on every hand we see a return to that prosperity with which this country was blessed from 1867 to 1873. This is admitted by the organs of hon. gentlemen opposite, although they attempt, from time to time, to misrepresent the cause of that prosperity, and have even insulted the intelligence of the people, by attempting to prove that it exists in spite of the policy of the hon. Finance Minister. We may say it is barely a year since this policy has had an opportunity of having any effect, and already we see factories being reopened and enlarged which were closed during the time of the late Administration; we see new factories springing up in every Province in the Dominion, and we find by the commercial newspapers of the country that the indications for the coming season are such as to lead us to hope for a large increase of our manufacturing industries in the future. In a recent number of the *Montreal Witness*, I find a very able and intelligent letter from the general manager of the Merchants' Bank. Mr. George Hague, who is noted as one of the most cautious and careful financiers in the Dominion, whose success as the head of every financial institution with which he has been connected, has been so marked as to entitle him to the confidence and respect of the entire commercial community in the business centres of Ontario and Quebec. Mr. Hague says:

"Montreal ought to direct more of her energies toward making herself a manufacturing centre. We have given too exclusive an attention to our export trade. Our pride in the masses of grain that have passed through our city during so many years would be modified if we considered what the final outcome of it has been. We have shipped millions of bushels year after year, and have done our best to rival in this respect the great shipping ports of the United States. If the statistics were favorable we have plumed ourselves on our advancing commerce. If unfavorable we have endeavored to draw to ourselves still larger quantities of the produce of the West. . . . We have made a beginning in manufacturing enterprises already. And nothing is needed but a persistent cultivation of the advantages we already enjoy to make this city one of the great manufacturing centres of the continent. Her population would increase, the growth of wealth would be steady, and industries would take root that would be a perpetual source of advantage to all classes of the community. . . ."

"There is scarcely a single article imported from the United States that we ought not to manufacture in Montreal. There ought to be one of the largest car-building establishments on the continent here. There is every possible facility for it. All kinds of machinery, tools, plated-ware, brass fittings such as are turned out of the factories of Connecticut, ought to be

produced here likewise. We once had a locomotive engine factory. This however, started under unfavorable auspices, and was never properly managed. But what is to prevent Montreal making all the locomotives that are used by all the railways in Canada? We are beginning to manufacture silk. If New Jersey can make as good silk as Lyons, why cannot this Province of Quebec? We have proved our ability to manufacture gray cottons. Why not have every kind of cotton produced here? It is a good sign, and a step in the right direction, that another large cotton-mill has been projected under the auspices of a number of our most enterprising citizens.

"It is for the benefit of all these enterprises that there should be trained up among us a population of skilled artisans and mechanics. This is one element of profit and prosperity. It is in this manner that all the great industries of Great Britain are carried on—cottons in Manchester, woollens in Leeds, worsteds in Bradford, hardware in Birmingham, cutlery in Sheffield. In each of these places a whole population is to be found trained for generations in the pursuits of their respective cities or districts. We cannot in Canada have a whole city devoted to one line of manufacture, but we can, with such facilities as are possessed by Montreal, make it a great centre of manufacturing industries, which only need to be wisely planned and effectively managed to become a constantly increasing source of wealth."

I have referred to this letter on account of the business standing of the gentleman who wrote it, and also because I wish to draw attention to the way in which this sensible practical advice is treated by the organ of gentlemen opposite in Montreal. Here is what the *Montreal Witness* has to say on the subject of encouraging the manufactures of Montreal:

"The hopes of Montreal as a centre of manufactures are discussed by a high authority in an article in this paper. We advise no one to invest much, counting on the permanency of the protective system. If protection has any valid excuse, it is to be found in its services as a wet-nurse to infant industries. Unfortunately, it is a very rare thing for an industry not to rebel against being weaned. This demand of big babies for protection is, however, no reason why the fostering advantage which at present exists should not be made use of in the interest of industries which shall be able in a year or two to live unstimulated lives. We must repeat our advice to investors, however, to make their calculations independent of the advantages which protection gives."

Evidently the *Witness* has not much faith in the assertions of the hon. member for North Norfolk, that if we had a change of Government there would be no change in our financial policy. In this connection I might refer to the discrepancy between the declaration of the hon. member for North Norfolk and that of the hon. leader of the Opposition. The latter hon. gentleman is opposed to the present policy. He wished to go back to the policy prior to 1878; while the hon. member for North Norfolk, who is one of the coming Ministers in that Ministry, which I fear will wait many years before it is formed, has trimmed his sails to catch the popular breeze in Ontario, and wishes the people to believe there will be no serious change of policy, that they may even count on improved protection in certain industries, and that in certain industries which do not stand in a favorable position to-day as compared with others the discrepancies will be removed, the rough ways will be made smooth, and vested rights will be protected. A letter from Mr. L. O. David of Montreal, was I think, referred to by the hon. member for Cardwell. Mr. David has announced to his friends in Quebec, that he still intends to remain an ally of the Rouge party in that Province, because the party, as a whole, have given up their opposition to the protective policy. I do not know how he will like the assertion made by the leader of the Opposition, that it is the intention of the party which he leads to go back to the policy which existed prior to the elections of 1878. Possibly the rash statement of the hon. leader had to be toned down by one of his financial mentors. The hon. member for North Norfolk, who is in that happy position that no matter what side he may take on that question, he can always come before an appreciative audience in Ontario, and prove to them he took the side they favored. He is the most prudent of all politicians; he is all things to all men. Hon. gentlemen opposite, having given up the crusade against the protective policy, having admitted that the country is prospering, that the prophecies of the Opposition

party were fallacious, that manufacturers are not robbers, that artisans, mechanics, and farmers are not dupes, have nothing to fall back upon. The only strings to their political bow are the Pacific Railway contract, which, fortunately for the country, has settled a question which has given great anxiety to the minds of the people, by defining the pecuniary expense to which the people may be exposed; and the imaginary exodus which hon. gentlemen opposite have conjured up, and by which they wish to alarm the people with respect to the conduct of the Administration. I am satisfied with the explanations of the hon. Minister of Agriculture and Immigration, based on the reports of officers of the Department who have had an opportunity of making personal inquiry on the very spot through which the emigration by the Grand Trunk and Great Western passes. The statistics given by the United States officials, only show the aggregate number of persons going through at that point, whether to the North-West, or simply making an excursion with a view to returning, and do not show the number of persons leaving Ontario with the intention of making their home in the States. Although it has been clearly established that the exodus is altogether a matter of imagination on the part of hon. gentlemen opposite, they still continue to harp on that string, and still try, as they have always tried, to deceive the people with representations which, when they come to be examined, have nothing to sustain them from a rational point of view. But even supposing the statements regarding the exodus were half true, it proves this, that if any emigrants are leaving Canada for the United States, at all events they have sufficient settlers' effects to enable them to go to the consul and obtain free passes as *bona fide* settlers, whereas we know that thousands and tens of thousands of broken and ruined men slunk to the States during the Mackenzie regime whose names were never taken down, and the number of whom were never entered in the returns of United States officials. The hon. member for North Norfolk (Mr. Charlton) adverted to the difference between the parties led by the hon. member for West Durham and the Prime Minister. Such allusions are unfortunate on the part of hon. gentlemen opposite, for the Conservative party will compare favorably with the Liberal party. The party to which the hon. member for North Norfolk belongs, is a party rich in promises, pretending to be an honest and moral party having a desire for economy and good government, standing as watch-dogs and guardians of the popular rights when on the Opposition benches; but when they obtained power they changed indeed. Then where were their promises and their economies? The contrast was strongly in favor of the Conservative party, and the hon. member for North Norfolk, when he throws taunts across the House, had better refrain from contrasting the party with which he has allied himself with that led by the Prime Minister and the Minister of Finance. Hon. gentlemen opposite, when in Opposition, again and again told the people they were going to reduce the controllable expenditure, diminish the number of officials, and reduce the expenditure on public works; and when they came into power they had to build an additional wing to the Departmental buildings in order to furnish accommodation for their friends. Certainly in that respect the promise and fulfilment are wide apart. As regards expenditure for public purposes we all know the history of the party. Take one instance from many: \$250,000 were expended on Fort Francis Lock, which is to open up the waters of Rainy River, which owing to natural obstructions commence nowhere and empty into no place. I have thought of a motion asking for a statement of the salary of the lock-keeper, the tonnage of vessels that have passed through during the last two years, and what fees have been received by the Government, so that we may obtain some idea of the interest received on

the \$250,000 which has been sunk there by the caprice of a Minister who was pledged to economy on public works. I do not wish to occupy the time of the House, or I might give many instances of the economical and efficient manner in which those hon. gentlemen when in power dealt with the financial affairs of the Dominion. I might take up the Blue Books and answer the hon. member for West Middlesex (Mr. Ross), and show how again and again the party he supports exceeded the expenditure estimated by the Finance Minister for the current year. Take the militia estimates, for example. On one occasion the late Government, or the Minister of Militia, cut them down on the eve of the General Elections, probably to make the people believe they were practising great economy. Possibly that Minister may have had a more insidious design—may have thought he was helping in some small measure to bring about the happy era when the “rag would be hauled down,” too.

Mr. ANGLIN. That is awfully smart.

Mr. PATTERSON. I hope the hon. gentleman is not smarting under the remark. I will tell the hon. gentleman, for I have a friendly feeling towards him, being a fellow-countryman and an admirer of his ability, that I was seriously tempted, when alluding to a certain transaction that occurred some years ago, to say a word in reference to his conduct, but I refrained. Whether he is capable of smarting I do not know. Some men's hides are so tough that you can make no impression on them. I was going to say that the member for North Norfolk was nothing, if not the farmers' friend. He delights in getting up and showing how they are robbed, and how very much more the farmers in the United States get for their grain than the farmers of Ontario and the other Provinces of the Dominion. He has told the House that the farmers of the United States are hoodwinked and duped, and that they are sadly wanting in intelligence. I think, in spite of the assertions of the hon. gentleman, that there is no shrewder and more intelligent class on the continent than the farmers of the United States. I am quite satisfied that the diffusion of knowledge throughout the United States, and the great circulation of intelligent newspapers, have educated those farmers to a full appreciation and knowledge of their situation and requirements. We saw not long ago a Presidential election which turned on the very question of Protection which the hon. gentleman denounced to-day; and if it had not been introduced into that contest, it is almost a moral certainty the result would have been entirely different. Those farmers, unlike ours, have an opportunity every two years of electing representatives to Congress, and still, notwithstanding those opportunities, they have again and again re-elected gentlemen favorable to Protection; and the men whose Tariff Policy has been Free Trade abandoned it during the late Presidential contest, asserting that, no matter what party is in power in the Republic, they intended to adhere to Protection.

Mr. BÉCHARD. That is the reason why they were defeated.

Mr. PATTERSON. The member for North Norfolk has made the assertions we heard from him to-day, with regard to the prices of grain in Canada and the United States, again and again, and they have been as often refuted in this House. I have statements showing the price of wheat in Chicago and Toronto at different periods, which, with the permission of the House, I will read for the hon. gentleman's information. Those statements of the member for North Norfolk, whether correct or not, seem to answer his purpose very well, when disseminated among his constituents, judging from the frequency of their repetition. I have here quotations from the *Globe* showing the averages for spring

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wheat, in Toronto and Chicago, during the different months of the years 1878, 1879 and 1880, which I shall read:

	1878.		1879.		1880.	
	Toronto	Chicago	Toronto	Chicago	Toronto	Chicago
January.....	\$ 04	\$ 05½	0 81½	0 83½	1 25½	1 23½
February.....	1 01½	1 05½	0 87½	0 90½	1 26½	1 22½
March.....	1 02½	1 06	0 92½	0 90½	1 27½	1 19½
April.....	1 09	1 10	0 93½	0 88½	1 25	1 10½
May.....	1 07½	1 09½	0 97	0 98½	1 24½	1 11½
June.....	0 76½	0 76½	0 97½	1 03½	1 16½	0 94½
July.....	0 91	0 99	1 02½	0 96½	1 12½	0 93½
August.....	1 04½	0 91½	0 97½	0 86	1 21½	0 88½
September.....	0 96	0 87½	1 01	0 93½	1 10½	0 92½
October.....	0 84½	0 81½	1 19½	1 12½	1 10½	0 98
November.....	0 84	0 82½	1 20½	1 15½	1 15	1 06
December.....	0 83	0 83	1 27	1 29½	1 17	1 01½
Averages.....	0 97½	0 9½	1 03½	0 99½	1 19½	1 05

So that Toronto was highest in 1878, 1½c.; 1879, 4c.; and in 1880, 1½c. The arguments of the member for North Norfolk, with regard to the farmers, have been answered again and again by much abler men than I am, but he never answered the answer. I should like to read a few extracts showing the former views of the hon. gentleman on this subject. This was at the time before Protection became a party question, and when the hon. gentleman thought he could ride back to Parliament, and possibly into office, on the strength of the cry of protection for the farmers. These remarks of the hon. gentleman have been read in the House on several occasions, and we are all familiar with them. We all know that there is not a corner of any Province of the Dominion, in which this hon. gentleman, Proteus-like, cannot turn to book, page and paragraph, to satisfy the prejudices or the desires of those whom he happens to be addressing. It does not matter whether incidental protection is wanted or a revenue tariff, or out-and-out free trade, or the old-fashioned protection which was in force in Great Britain in former years, the hon. gentleman is equally adapted to its advocacy, and can equally suit himself to the audience which requires it. It seems to me that hon. gentlemen opposite undervalue the intelligence of the farmers of this country, when these farmers do not happen to support them with their votes. We all remember the indignant tirades with which the farmers of Ontario were abused, because they would not bow the knee to Baal and elect the candidates of these hon. gentlemen in September, 1878, but I assure them that their efforts to prove that the farmers are the most injured and oppressed people on the face of the globe, will not go down with the farming community of western Ontario, at all events. I can tell the hon. member for Centre Huron (Sir Richard J. Cartwright), who has so much to say on the exodus question, that in my part of the country, so far from there being an exodus of our farmers, some of the farmers, constituents of the gallant knight, are settling upon the undeveloped portions of my county. I am glad to tell him, too, that when these gentlemen are removed from his melancholy presence, and outside the influence of his gloomy views, they are becoming more hopeful and more Conservative in their tendencies every day. It is not to be wondered at that people should desire to leave the constituencies of these melancholy gentlemen who, like the melancholy Jaques, can see nothing but gloom and despair, and get outside the sound of their lamentations. The constant wailings of these gentlemen would be enough to

discourage any man from pursuing his ordinary avocations; and I do not wonder that the people who are represented in Parliament by those unhappy gentlemen should flee to the east, the west, the north and the south to get away from men who spend their days in telling the people they are overburdened with taxation and that the ruin of the country is inevitable. But it is not alone the farmers who are contented, but the workingmen and the artizans who are engaged in the factories which are springing up all over the Dominion. An hon. friend has drawn my attention to some statistics regarding the deposits in the Post Office Savings Banks, showing that these deposits have largely increased during the last two or three years. The total deposits in 1878 were \$2,754,000 while the deposits for the year ending 30th June, 1880, were \$5,125,000 or nearly double what they were before the change of Government. But to show that this gratifying result is not local, but general, I will give the statistics of the deposits in post-offices taken at random throughout the country:

	1877	1880
Hamilt. n. ....	\$204,000	\$263,000
Kingston .....	107,585	129,575
London .....	83,062	94,266
Montreal .....	87,533	349,854

I suppose that a good deal of the money deposited in Montreal is deposited by men employed in the Redpath refinery and other factories which have started up in that city, consequent upon the change of Administration; and I fancy that these men do not, like the hon. member for West Durham (Mr. Blake), regard the Rodpaths as robbers:

	1877	1880
Ottawa .....	\$93,461	\$303,609
Quebec .....	30,275	71,590
Toronto .....	329,000	376,000
Brantford .....	34,000	42,651
St. Catharines .....	13,460	34,693
St. Thomas .....	30,000	34,621
Guelph .....	24,609	49,855
Woodstock .....	25,000	29,311
Brockville .....	59,000	81,433
Windsor .....	18,000	44,629
Vankleek Hill .....	24,000	52,097
Belleville .....	41,920	60,513
Prescott .....	34,884	53,664

These figures show that our workingmen are obtaining such wages that they are not only able to pay their way but to make deposits in the savings banks, for most of the deposits in these banks are made in small sums. With your permission, Mr. Speaker, I would also like to read a few extracts from the Montreal *Witness* and other newspapers of the Dominion, showing the increased prosperity which has either actually taken place or which may be counted upon in consequence of factories established, or investments made for the purpose of establishing factories in the near future. Speaking of the iron industry, the *Witness* says:

"All the iron shops throughout Montreal are doing a very large business both in engines and boilers. There is an exceptional demand for stationary and steamboat engines for Manitoba. Several steamboats are in process of construction at Thunder Bay and on different rivers in that Province.

"The Montreal Rolling Mills Company have claimed exemption from taxation in Ste. Cunegonde on their new business, namely, the manufacture of gas and iron pipes, at which a large number of hands will be employed.

"Mr. E. E. Gilbert has constructed and forwarded to the Coaticook Cotton Company a one hundred and fifty horse-power engine. This is the largest stationary engine yet erected for the rural districts.

"The Montreal Rolling Mills are erecting a new building for manufacturing iron tubing, and have ordered an eighty horse-power engine from the same firm."

I am informed by the hon. member for Montreal West (Mr. Gault), that 250 men are to be employed in that industry, so it is just possible that the views of Mr. George Hogue may be realized when he speaks of Montreal becoming

ing a great manufacturing centre. Referring to the woollen factories, the *Witness* goes on to say:

"Apart from the large number of woollen factories in operation over the Dominion, through the enterprise of joint-stock companies, it is not a little gratifying to observe that individual firms are now and then erecting mills for the manufacture of woollens, which, during the harder times and a duller demand, they went abroad to purchase. We have spoken of several of these from time to time, but the latest is that one now being pushed forward most energetically by Messrs. Gault Bros., of this city, at Campbellford, Ont. This firm have hitherto purchased all their flannels, but the demand has increased so extensively of late that the erection of the mills named has been found an imperative necessity. The factory will be 150 by 60 feet, and five stories high. There will be a dye and storehouse, each 70 by 40 feet, two stories high; also offices and a spacious residence for the manager. The buildings will be of brick and stone. Work on the flume—for the mill will be propelled entirely by water—was begun last week, and the contracts have been let, the buildings to be completed in July next."

The Montreal *Journal of Commerce* has the following:—

"Messrs. Nicholson, Wilson & Co., a wealthy firm in Simcoe, Ontario, are preparing to build a brick building three and a half stories high, 31 by 50 feet, with additions for manufacturing cane sugar and refined cider. George Jackson, of the same place, is going into the fruit drying business on a large scale. John Aliger is forming a connection with some American capitalists for the purpose of extending his foundry business. The brewery at Simcoe, which for some years has been idle, is now being worked by Harry Findlay in a successful and satisfactory manner."

This is in North Norfolk, and I am sorry the hon. gentleman who represents that riding is not here. I hope the additional laborers who will be employed there will be convinced by that hon. gentleman that their employers are not robbers who are preying on their vitals, but that they are trying to develop the industries of the country and are establishing factories which will afford these men constant occupation. That is the way my hon. friend must put it when he goes to Simcoe. Here are some more items:

"Mr. W. J. Stafford has secured the old foundry premises at Lancaster, Ont., and proposes converting them into a boot and shoe factory. Perseverance is genius."

"The Canada Brush Works of this city have been removed to Lancaster, Ont. where the proprietor, Mr. Albert J. Ulley, has purchased seven acres of land with the dwelling and premises for the new factory thereon. There was scarcely any interruption through the removal. New machinery will be put in next spring, and the business enlarged to meet the growing demand. Many of the cotton-mills in the Dominion are supplied from these works, and the proprietor has received four prize medals for this class of goods."

"Parks' Cotton Mills at St. John, N.B., are undergoing extensive improvements and additions. A large wing is being added, and another engine of 90 horse-power has been added. It has already in operation 14,000 spindles, and gives employment to 375 hands, all told. The factory is principally employed in the manufacture of cotton yarns, although its 50 looms yield some excellent fabrics, for which a market is found all over the Maritime Provinces, Ontario, Manitoba, and even British Columbia. Mr. Parks may justly feel proud of the success which has attended this enterprise."

I may interject the statement here, that to-day I met a very intelligent gentleman who had recently been all through the Maritime Provinces on business. He takes no active part in politics, although his relations are with hon. gentlemen opposite. He assured me that the discontent which was represented to exist in the Maritime Provinces was all the pure invention of disappointed politicians and their followers, that there was hardly a word of complaint heard in Halifax or St. John, and that all was heard was galvanized and inspired by the disappointed politicians on the other side of the House, and the little clique of people who surround them, and who hope that by coming back to office they may again get a pull at the Treasury chest.

"Mr. Alex. Gibson, of Fredericton, N.B., who recently made a tour through Massachusetts and inspected the principal paper mills in that State, with a view to profiting by their experience and improvements, has arranged for the erection of large paper mills next spring at Marysville, on the river Nashwaak, a tributary of the St. John. Mr. Gibson, who is a large capitalist, intends to manufacture the finer kinds of writing and printing paper, in which, when the New Brunswick railway is completed to the Rivière du Loup to connect with the Intercolonial, he expects to be able to compete with Quebec and Ontario rivals."

"The extensive foundry premises at Chatham, Ontario, formerly occupied by Jno. D. Ronald as a steam fire-engine manufactory, have recently been purchased by Fleming, Erret & McLeod, who are having

the premises thoroughly fitted up as a manufactory of agricultural implements. The new firm, being thorough practical and business men, say they are going to run their factory to its full capacity, make everything in their line saleable, and sell everything they make."

"The construction of the proposed new mill at Chambly has been commenced. The building is to be 180 feet long, 55 feet wide and four stories high, with basement; there will be a capacity for eight sets of flannel machinery, a though it is proposed for the present to add only four sets, which will be ready when the building is completed, making, when complete, a ten-set mill, the capacity of the machinery now in operation being six hundred thousand yards per annum. When the new mill is put in operation the output will be increased to one million yards of flannel per annum, and building capacity and power to add to the further production of four hundred thousand yards, should the market require it."

"Mr. E. A. McDonald, of Kingston, Ont., is building a toy factory in that city for the manufacture of large wooden toys, rocking horses, and children's carriages. He expects the building will be ready to enable him to begin business in the spring."

I hope he will be able to present the ex-Finance Minister with some toy with which to employ himself during his leisure hours with more profit to his health, his liver and the people of the Dominion, than by manufacturing statements to the injury of our credit at home and abroad.

"A new cotton-mill is to be erected in St. Paul (near Montreal), a bonus of \$5,000 and exemption from taxes for twenty years having been granted by the municipality."

"Some gentlemen from Montreal and Cohoes, Massachusetts, have been looking round Galt, Ontario, lately, for a place in which to establish a knitting factory. Negotiations for the purchase of the premises on South Water street, formerly occupied by Mr. Robinson as a woollen factory, have been entered upon. The purchase was made with the view of at once establishing what is called a 'three-set mill.' The movers in the enterprise are Messrs Claxton, of Montreal, Sweet, of Cohoes, and A. Warnock, H. McCulloch, D. Spiers and others, of Galt. At a special meeting of the Galt Council the request that the company be exempted from taxation for ten years was unanimously agreed to. The goods to be manufactured will be of cotton and wool for the lighter kinds of underclothing, and about 50 hands will be employed, with the probability of a large increase."

The following extracts are taken from the *Monetary Times* of Toronto:—

"Messrs. Bryce, McMurrich & Co., are improving their Columbus woollen mills. By means of new machinery their capacity is to be enlarged to turn out annually \$100,000 worth of fine flannels, blankets and tweeds."

"The former owners of the Newcastle woollen mills, which were burned, and will not at present be rebuilt, have purchased the old Hespeler property at Hespeler, and are fitting it up as a three-set mill for the manufacture of flannels, etc.

The Hespeler factory formerly gave employment to a large number of men, but under the fostering influence of the late Administration, gave up the ghost, and now under the malign influence of the present Finance Minister, it is resuscitated.

"The Nova Scotia Forge Company of New Glasgow, shipped to Point Lévis the crank and shaft for the machinery of the Quebec Graving Dock, which were forged at their establishment. This is said to be the heaviest work of the kind ever done in the Dominion. One of the shafts is over 16 inches in diameter and weighs nearly four tons. The machinery for the Graving Dock is being supplied by Messrs. Carrier, Laine & Co., of Point Lévis."

"At a meeting of the directors of the Hudon Cotton Company, held at Montreal recently, it was resolved to again enlarge these mills by an addition measuring 222 feet by 80 in width. When this is completed, the mill will be nearly twice the size of any other cotton-mill in Canada, the total length being 800 feet, with an average width of 85 feet. The new addition will be devoted to the manufacture of finer bleached goods, as nearly approaching the quality of Horrock's best as is possible. The new 500 horse-power engine, just put in, being the second of this capacity, will drive the looms in the wing recently erected. Some 700 hands are now employed, and when the addition just decided upon is completed, the number will reach 1,000.

"The Corriveau Silk Mills at Montreal are now in full operation, with an annual capacity of about 150,000 yards. Only broad silks are made, of a quality comparing favorably with the best grades of imported goods; indeed, it is claimed for the domestic ones that they are superior to French and English silks, inasmuch as they are perfectly free from the chemicals used so often for the purpose of giving weight and stiffness to other goods, which causes them to wear shiny and to cut at the creases. These are made in black colored and figured, in the latest shades and designs. Messrs. Gault Bros. & Co. have arranged to take the whole make of the mill, and will hereafter import only the cheaper lines of foreign silks, feeling satisfied that the home-made article will eventually meet the demand for the better class of goods."

To go back to Ontario, I see there has been a little stir in Hamilton, that city of the dead, as hon. gentlemen opposite

Mr. PATTERSON (Essex).

would fain have us believe. A cotton yarn factory has just been started there by Messrs. Leonard & Co. The *Monetary Times* also states:

"Hamilton, with characteristic enterprise, is providing for a new industry in her midst. Arrangements have been made for the erection early in February, of a factory on St. Mary street, 30 x 130 feet, three stories in height, for the making of lamp burners, ship and locomotive head lights, lanterns, bird cages, pressed goods, etc. The firm which will occupy these premises is that of Messrs. J. H. Stone & Co., who will probably employ at starting between eighty and one hundred hands. The most of the machinery has to be imported from the States, some of it is of a delicate and costly character, but the engine and shafting will be made at home."

To return to Quebec, we find that:

"Smelting works have been erected at Drummondville, Que., by Mr. John McDougall, car wheel manufacturer, etc., of Montreal. The iron is made from bog ore, which is plentiful in this section and is smelted with charcoal, several hundred men being employed in wood-chopping, gathering ore, and other departments of labor. The works have a present capacity of from eight to ten tons of cold blast iron per day, which is easily capable of being increased, and it is probable that a second furnace will be erected next summer. Mr. McDougall is also the owner of the St. Francis Smelting Works, at Rivière aux Vaches, in the county of Yamaska, which he acquired several years ago; at these iron of the same kind as above is made. The product of both these works is utilized by Mr. McDougall at his Montreal mills in the manufacture of car wheels, for which this description of iron is specially adapted."

In the Maritime Provinces, we find:

"A brush factory is to be established at Coal Branch, N.B., on the Intercolonial Railway, which will employ 40 hands, and be in operation on 1st May next. Mr. Harry J. Newman, formerly representing English manufacturers of brushes in Brazil, will be the proprietor. He has already ordered from Britain machinery and material."

Hon. gentleman opposite should turn their attention to this kind of information instead of shutting their eyes to it. Their attention is turned to anything that savors of ruin and decay; but the decay has taken a rather unfavorable turn, and the patient, whom they foretold would die, is being resuscitated in a marvellous manner. Whether it is to be attributed to the policy of the Government or not, it corroborates the statement made to me by a gentleman who visited the Maritime Provinces lately. He said that it was only among the disappointed politicians of the Opposition and their little cliques of hangers-on, that the depression was felt in New Brunswick and Nova Scotia; that depression was in reality, merely a political depression. I see that in New Brunswick:

"Six snow ploughs for the Canadian Pacific Railway were completed at St. John, N.B., and shipped to the North-West some days ago, under contract by Messrs. Rainnie & Dunlop, the iron-work and trucks being built by Adam Bros., of Carlton. They were shipped the whole distance in box-cars, to be put together on arrival, and their cost is stated, including carriage for all the miles distance, at \$1,600 each."

I see in the *Monetary Times* that in addition to the hoop and barrel factories of Ontario, another is about to be established:

"The Pike & Richardson Cooperage Company, Limited, seeks incorporation with a capital stock of \$100,000. As the name indicates, they are to manufacture barrels, hoops, etc. John B. Pike, Wm. Richardson, Duncan Charles Plumb and Valancy E. Fuller are to be the first directors of the Company."

To return to Kingston, Ont., I find that:

"Messrs. Mills & Cunningham, of Kingston, are now on a tour through the States, inspecting some of the principal charcoal and iron factories, with a view to utilising the knowledge gained thereby in connection with the charcoal works about to be established in Kingston and referred to in a previous issue."

A good deal of capital was made by hon. gentlemen opposite a short time ago over the statement that the Hamilton Clock Factory had closed, notwithstanding the encouragement given to it by the Finance Minister. I am glad to see in the *Monetary Times* that it is about to be re-opened. That paper says:

"The Hamilton Clock Factory is about to be started again, if the *Spectator*, of that city, is correctly informed. For four years it had lain idle, but now Mr. John Keyworth, of New York, who has been, it is said, manager of some prominent American factories of the same kind, is about to re-open it about the 10th February. He has brought with him

a variety of patterns and designs, and says the premises and machinery are very suitable for making a good article and quite a variety. Clocks are to be made for export as well as for the home trade."

To return to Quebec it is stated that :

"Messrs. A. L. Grindrod & Co., the proprietors of the Magog Woollen Mills, in the Province of Quebec, finding their present quarters inadequate, have determined to enlarge their works by adding another story, which will enable them to put in a third set of machinery. The contract for the erection of the additional story has been given out and work will commence next month."

According to the same source of information :

"The managing director of the West Farnham Beet Root Sugar Co., has sailed for Germany, to obtain the machinery required for the factory now building. It has been decided to fit up the factory for a capacity of 200 tons of beet roots per day, instead of 120 tons, as at first proposed, the cost of the larger quantity not being much greater."

According to the *Montreal Daily Witness*, a new manufacture has been started in Quebec. The *Witness* says :

"The manufacture of corsets in Quebec Province has never been entered upon very extensively, and those who have engaged in the enterprise have appeared to do so more as a matter of experiment than with any expectation of heavy ultimate profit. The manufacture is, however, again about to be taken in hand on a scale surpassing all former ones, Mr. F. Lauder, of Montreal, but who has been for a number of years connected with one of the leading corset manufacturing companies in the United States, is about to start a factory in the city. He is at present in New York purchasing machinery for the purpose, and has been negotiating with local cotton-mills for a supply of material used in the manufacture of corsets. Mr. Lauder promises to invest a substantial amount of capital in the new enterprise, and operations may be expected to begin within a few weeks.

The *Witness* also refers to the new factory established in connection with the Hochelaga Mills and the wonderful growth of cotton manufactories in Canada. It also states ;

"The old Congregational Church on the corner of Craig and Amherst streets has been purchased by Dr. Brewster. The doctor has gone into the manufacture of skates, and has already received orders which will necessitate the manufacture of 1,000 pairs of skates per week, and give employment to about forty hands. The machinery, which costs \$25,000, is being erected on the premises with all possible despatch. This is the only factory of the kind in the Dominion, and will be opened the beginning of March."

Those little items which I have culled out for the information, pleasure and gratification of my hon. friends opposite are taken either from their own journals, or from journals which are non-political—I have taken none from Conservative organs, because I thought those hon. gentlemen would not have placed the same reliance in them as in the others. The ex-Minister of Customs, in his speech referred to the value of our export of shipping, to make a point against the Tariff, and then he proved to us almost immediately afterwards that there had been greater activity in the trade, in 1880, than in 1878. I could not understand his logic, because one of his statements was controverted by the other. We have heard the hon. gentleman before dealing with statistics, and knew that nothing could be more fallacious than some of his conclusions, which are easily susceptible of refutation. The hon. gentleman also seems to think that, because a larger Customs revenue is realized on certain articles than when he was Minister, that the Government are to blame. It strikes me that this is something for which we should praise the Administration. If the late Minister had conducted the affairs of this department with the efficiency and ability of the present Minister, there would have been a different story as to some of the details of the Customs receipts. The late Minister of Customs thought more of the interests of his political friends than of the interests of the country when in office. I do not think, however, he drew attention to the fact that the controllable expenditure of the Department is now less than for several years, although the revenue has largely increased, and that, too, although we now see all the legitimate expenditure of that department. That expenditure is not now put into contingencies, horse-hire and travelling expenses, everything being faithfully and truly entered under

its own heading. The present hon. Minister does not indulge in the exposed practices of the late Minister, but is doing his duty in such a manner as to call forth the encomiums of even such a determined opponent as the hon. member for West Middlesex. I referred, when I first rose, to the melancholy position of the hon. and gallant gentleman opposite. I am sure we all admire the hon. member for Centre Huron; because, whatever his defects, he sits here very gallantly and always bears a smiling countenance to his foes; and although the fox may be gnawing under his expansive shirt bosom, he never shows it by shrinking or hesitation, but faces us all with that imperturbable smile which I am sure compels our admiration. That hon. gentleman will go down to posterity as the hero of deficiencies, the hero of failures. In fact, so systematic had those deficiencies and failures become, when hon. gentlemen opposite were on the Treasury benches, that the member for Bothwell (Mr. Mills) had almost added as an axiom to his system of political economy, that the prosperity of a country has to be gauged by the amount of the deficiency of its revenue as compared with its expenditure. I have seen it stated in the organs of hon. gentlemen opposite that deficiency was a healthy and wholesome state of affairs—that it was a blessing to a country when it possessed a Finance Minister like the member for Centre Huron, who could, with such ingenuity and financial skill as he again and again displayed for four successive years, come down to the House with an average deficiency of only \$2,000,000. The aggregate of the deficits of the hon. gentleman amounted to nearly \$9,000,000, and that, although the late Government increased the taxation in their first year, to the tune of between \$3,000,000 and \$4,000,000. Now, will that party contrast the experiences of its five years' rule with our experiences last year. Instead of deficits, we are enjoying a surplus. Contrary to the principles of political economy, as inculcated by the organs of hon. gentlemen opposite, and by themselves, also, the Finance Minister has been guilty of coming down to the House with a surplus. Instead of the cheerful prospect of annual deficits, he comes down with a surplus of \$2,000,000 for 1881, and a prospective surplus for the ensuing year of nearly an equal amount. The country has ceased to be a slaughter market for our American neighbors. No man in the Dominion need be idle at present for 24 hours if he wants work. Contrast this with the older countries of the world. Contrast it with the condition of Great Britain, where the workmen are going about the cities saying, We have no work to do. And that is in a free-trade country where the theories of these political economists are given full scope and sway. In this country we have manufacturing industries increasing; as I have shown our workmen are fully employed; they are depositing their savings in the savings banks and other such institutions. Our farmers are happy and contented, and they have the fullest confidence in the right hon. gentleman at the head of the Government and his able Finance Minister, who have fulfilled every promise they made before the elections. Notwithstanding that hon. gentlemen opposite try to make us believe that the country is being ruined and that the Government are to be driven from office. When Charles the Second was warned by his brother that attempts were being made to assassinate him, his reply was that no one would assassinate him to make his brother king. So I do not think that the people of this Dominion, so long as they retain the good sense which is characteristic of this northern race, will drive from power the present Premier and the Finance Minister for the sake of returning to office, hon. gentlemen who will be known in history as the heroes of the period of deficiency.

Mr GUNN. I rise to offer a few remarks with regard to the operation of the present Tariff. During the debate on the Tariff, now nearly two years ago, I called attention to the

results which I predicted would follow from the proposed tariff on sugar. That tariff has now been in operation nearly two years, and certainly we have had one clear period of twelve months during which we may judge of its effects. I was rather surprised that the hon. gentleman, when he brought down his Budget, did not amend the Tariff in that particular, for I believe he has had a great many complaints from importers belonging to his own party and those who have asked him to permit the higher grades of sugar to come in at  $\frac{1}{2}$  c. and 30 per cent and to have the standard No. 16 instead of No. 14. The importers of the country have been shut out from the trade altogether, and I would ask the Finance Minister to get disinterested information on the subject with a view of considering whether a change should not be made. According to the statement of the Finance Minister, the refiners, last year, handled 300,000 barrels, equal to 87,000,000 lbs. of raw sugar, thus three-quarters of the entire trade has gone into the hands of the refining firms leaving only one fourth for all the importers. I do not know what proportion the new refiners will have, or how much of the trade will then be left to the importers, but certainly it must be a very small proportion. Last year I estimated the entire consumption of the Dominion at 120,000,000 lbs. of raw sugar. The actual quantity entered for consumption was about 117,000,000 lbs., which paid a duty of \$2,026,692. Of this 19,000,000 lbs. was entered over No. 14 at the rate of \$2.55 per hundred, producing a revenue of \$477,563. Outside of the refiners there was only 10,000,000 lbs. more, entered between Nos. 9 and 14 at \$1.73, and producing \$173,000 revenue. The other 88,000,000 handled by the refiners, paid a duty of only \$1.55 per hundred pounds, or \$1,360,000; that is to say, the people outside of the refineries on one-fourth of the sugar paid \$650,000, while the other three-fourths paid only \$1,350,000. The one-fourth paid about one-half as much as the three-fourths, showing a large protection to the refiners and a large loss to the revenue, as well as an increased price to the consumer. If we imported all the refined sugar we would have 100,000,000 lbs. of pure sugar which would have paid duties at the rate of \$3.10, or a total of \$3,100,000 instead of \$2,000,000. Take average value of this month's price in New York and Montreal; the latter 9 $\frac{1}{2}$  c. cash, equals \$9,250,000; former at 6c., 35 per cent. *ad valorem* and 1c. specific duty amounts to \$3.10 duty. Together, \$9.10 equals \$9,100,000, or \$150,000 dollars less than Montreal, with excess of duty already stated amounting to \$1,250,000. The balance goes into the pockets of the refiners. The Finance Minister referred to a sample of good sugar and said that people could bring it in, but surely the hon. gentleman can see that it is too dark. The very fact that it has not come in is sufficient evidence that the Tariff keeps out sugar fit for consumption. One of the largest importing firms in this country, who also do an importing trade with other countries, has, I believe, appealed to the Finance Minister to change the Tariff because it is throwing all the advantages in favour of the refiners. I have a letter sent to my firm by an importing firm in Montreal, and I shall trouble the House with an extract. With the permission of the House I will read the letter:

"MONTREAL, 23rd February, 1881.

"MESSRS A. GUNN & Co.,  
Kingston.

"DEAR SIR,—We have no doubt that you, like ourselves, have felt the hardship of our present sugar tariff, in excluding, by the high duty of 35 per cent. and 1 cent per lb., those choice raw sugars which sell the most readily and give the most satisfaction to consumers.

"We have waited, hoping to see some more important firm than our humble selves take up the subject, but as we hear of no agitation so far, we now respectfully request your co-operation, and ask you to lend your influence in obtaining from your importers and others their signatures, to some kind of petition to Parliament that shall express our mutual views.

"The present Government lay great stress on their desire to foster a reciprocal trade with the West Indies. The refiners import largely, but

Mr. GUNN.

do not export, and it seems that they will eventually obtain a monopoly of the sugar importing business, because, on the one hand they will not buy refining sugars brought here by others, except at a loss to the importer, and on the other hand the grade No. 14, Dutch standard in color, and below are not choice enough for the majority of consumers of raw sugar. Thus the grade that merchants can import to any advantage is narrowed down to a very small limit, and we think that refiners will use every endeavor to kill what little trade there is left. They have forbidden their West India agents to allow any sugars for grocers here to be shipped on vessels bringing them sugars.

"Were the tariff re-adjusted so as to admit choice raw sugars not over say No. 16, we believe a reciprocal trade would ensue. In former years our old firms Jos. Tiffin, and J. Tiffin & Sons, used to export to the West Indies, nails, shooks, lumber, oats, peas, etc., and we think that, if the change in duty indicated were made, it would be practicable to do so again, and employment thus be given to Canadian vessels. So far, nearly, all the sugars brought here, especially by refiners, have come in British and foreign vessels.

"What we would ask of the Government is to alter the Tariff so as to allow raw sugars above No. 9, Dutch Standard, and not over say No. 16 (instead of No. 14 as at present) to come in at 30 per cent. and  $\frac{1}{2}$  cent per lb. when shipped from place of growth direct to a Dominion port.

"We think the matter should be attended to promptly, but quietly, so as not to alarm the refiners, who will be very unwilling to see their enormous profits of the last two years curtailed in any way.

"Trusting to learn your views on the subject by return mail, together with any further information or hints that you may be able to afford us.

"We are, dear Sir,

"Yours truly,

"TIFFIN BROTHERS."

The refiners took 88,000,000 lbs., at a duty of \$1.55, and the trade paid \$2.55, making a difference of 70 cents per 100 lbs. This difference is equal to \$516,000. Last year the refiners sold their granulated sugar at 9 $\frac{3}{4}$  cents. The equivalent of 88,000,000 lbs. of raw sugar is 77,000,000 lbs. of granulated sugar. If this sugar had been brought in from New York under the old revenue Tariff of 1878, 25 per cent. and 1c., at the average value of last fiscal year ending 30th June, 1880, \$6.52, it would have cost \$9.15, after paying a duty of \$2.63 per 100 lbs., \$2,025,100, instead of \$1,360,000, which you have collected, showing loss of revenue amounting to \$665,000. This 77,000,000 lbs. costing, duty paid, \$7,045,500, instead of refiners' price, 9 $\frac{1}{2}$  c., \$7,507,500, showing a margin of profit to the refiners of \$462,000 which, with the loss of duty, makes \$778,000. There is no reason why they should not handle the whole of it. Already they have absorbed three-fourths of it, and they must soon absorb the other fourth. The very people that are supposed to protect the revenue, meet you at the Customs-house with a sample of sugar, which they say is No. 14, and you tell them the sugar you offer for duty was bought in Liverpool at 22 shillings on the same day that only No 12 was 24 shillings. The appraiser will show you a sample from Ottawa that he calls the standard, and he will tell you that your sugar is over No. 14 in color and must pay the highest rate, 35 per cent., and this stops the trade that would give the revenue if entered at 22 shillings rate according to value  $\frac{1}{2}$  c. and 30 per cent., \$48.60 per ton. You insist on this sugar going to the refinery under a duty of \$4.60 per ton, losing thereby \$14 per ton. The result of this policy is to take money out of the Treasury and put it into the pockets of the refiners. It cannot be satisfactory to the people of this country to know that they are paying over half a million dollars more for their sugar than they would pay if there was competition between the refiners and the importers. The refiners should be satisfied to give some of the trade to the importers, but instead of that, the law is so fixed that they have seized upon the whole trade. All this has been often pointed out to the Finance Minister, but he has not thought it worth while to look into the matter. When we are losing \$1,000,000 a year it is his duty to take the side of the people, and prevent that waste. He has no right to advocate the refiner's cause; he is the paid servant of the people and is sent here to protect their interests only. My hon. friend from Cardwell (Mr. White) was sent here to look after the interests of his constituents, and not to defend the monopoly of the refiners. If he can procure sugar one half cent cheaper to the people, it is his duty to do it. Here is the

hon. member for Montmorency (Mr. Valin), who is a large sugar importer, yet he is obliged to send his ships to Boston and other American ports, because, he says, there is no use in bringing sugar to Montreal. I blame that hon. member, and other hon. gentlemen in the trade, because they did not stand by me when this question was up before the House at the inception of the refiner's tariff. I spoke against it then, and I consider it my duty to speak against it now. If the Government would consent to the nomination of a committee, I am confident I would be able to convince them that in this sugar question they are misled, and are following a mistaken policy. Why not refer this matter to German, French, English and American refineries, and after hearing them, decide what is right? It is very unfair that this trade should be confined to one or two firms. It is all very well for the hon. Finance Minister to speak of the large number of hands employed in the refineries; but consider what it is costing the country to give them employment. The hon. gentleman spoke of the cost of coal, labor, bank exchange, interest and rent to the Montreal refiner; but all these things are included in the price of American or English refined sugar. 87,000,000 lbs. of raw sugar, as near as I can make out, cost \$3,000,000; shipping charges, the cost of casks and other charges, on which no duty is paid, amount to \$1,250,000; the duty amounts to \$1,360,000, and the cost of refining amounts to \$794,000, making a total cost of \$6,400,000. This sugar, sold at the average price of granulated sugar, would be worth \$7,500,000. I think the merchants of Toronto, Hamilton, London, Halifax and Quebec are all dissatisfied with this Tariff, and I do not see how they could feel otherwise, so long as three-fourths of this whole trade is concentrated in the hands of two or three firms. In 1878, Ontario had 55 per cent. of the trade; in 1879, the refineries—having been in operation for about three months, it dwindled down to 46 per cent.; and in 1880, it was only 15½ per cent. That, I feel quite satisfied, is a very unsatisfactory state of things to the people of Ontario, who so largely supported the present Government.

Mr. BOULTBEE. The debate, Mr. Speaker, has to-night assumed a good deal of importance, as dealing more with abstract principles than mere matters of detail. The hon. gentleman who has just spoken, seems to have demonstrated that it is a great misfortune for Canada that there is any sugar at all. He gave us a good deal of statistical information as to the amount of sugar we did, or might, or could receive in the future; but I do not think that has any special bearing on the present argument. The present discussion has to do with the policy of protection to Canadian manufactures, and we have heard that matter treated in a very extraordinary manner. I listened with a great deal of attention to the member for North Norfolk (Mr. Charlton), and, so far as I could gather it, the purport of his remarks was about this: that a tariff must be either a purely revenue producing tariff or one which, while it produces revenue, incidentally gives protection to home manufactures. Well, Sir, I apprehend that in that definition no one will differ from him. As a corollary to what he suggests—he does not affirm it—that the late Tariff was one that incidentally protected Canadian manufactures sufficiently. We take issue with that; we say it did not. Further than that, we gather from his utterances and those of every hon. gentleman on that side, that if they get back to power they will reverse the principle adopted by this Government, and revert to the Tariff that was in force prior to 1878. What were the effects of that Tariff? The whole country knows well that under it an unfortunate state of things existed. Our manufactures were not succeeding, and we were not receiving sufficient revenue to meet our expenditure. The hon. member for North Norfolk and those on the same side of the House enun-

ciated the opinion that that was a tariff which was advantageous to the people of this country. It seems to me unfortunate that those gentlemen should take that position, and declare, should they ever have the opportunity, to revert to the old Tariff and bring back the old state of things. Why did the people go against the late Government? Why did they stand as one man against the present Opposition? Because they found that these were men blind to the true interests of the country, who are led away by a desire to carry out the arbitrary ideas which they fulminate, and which are opposed to the sterling common sense of the people. In Montreal the other day I met a gentleman who, until the last election, had supported the Opposition, who through the term of a long life had until then been a Reformer pure and simple, but who was a man largely engaged in manufactures, and who had come from another country many years ago to cast his lot in Canada. I asked him what he thought of the way affairs were going on. He said he was quite satisfied with the course of the present Government, that they were doing their best to develop the best interests of the people; and as for the Opposition, he said—I am using his own words—that they were so besotted in the narrow-minded ignorance of their own party convictions that they were unable to see in what direction the interests of the country lay. There are many other men in Montreal who, like him, have become ardent supporters of this Administration owing to the policy they have adopted. It seems to me that when we grouped the various Provinces of the Dominion into one country and under one head, the interests of every patriot lay, the duty of every patriot was to try and bind together in one homogeneous whole the people of Canada. Did we find hon. gentlemen opposite, that small, scattered party, trying to bind the country together? We find hon. gentlemen on every occasion trying to set interest against interest, Province against Province, man against man; saying to Nova Scotia: "You should have the duty on coal increased;" to New Brunswick: "You should get the duty taken off flour;" to Ontario: "You are being milked for the benefit of the other Provinces;" to Manitoba: "You should have more extensive privileges." We find them a set of demagogues of the worst class. I make no personal allusions; I say this is shown by their actions. Taking them by their utterances on the floor of this House, in which the interests of any Province has been discussed, those hon. gentlemen have tried to set Province against Province, and the whole of the Provinces against the Federal Government. They seek to appeal to the great mass of the electorate. They appeal to those men whose votes bear a proportion of five or six to one. They say to those men: "The taxes are made to discriminate against you; they are made in favor of the rich and against the workingmen." They are trying to array the electorate against those men in this country who are always seeking to bind the Dominion together. I say, gravely, representing as I do a county in which there is a large number of the class of voters whom they are trying to influence, that there are no men who are so much benefitted by the imposition of a tax which, while it increases our revenue, keeps out, to such an extent as we can do so, foreign goods of the kinds which we can ourselves manufacture. I affirm the principle, and I believe it to be a sound one, underlying every principle which conduces to national greatness, that no country was ever great, wealthy and strong until it manufactured, as far as it reasonably could do so, all the goods it required for its own consumption by its own people. While the excellence of foreign goods may tend to make the goods manufactured in the country higher in price for the time, I do not believe that affects the principle. It is to the advantage of the country to place an embargo on foreign manufactures so long as we can manufacture the goods ourselves. No country ever becomes

wealthy and great and noted among the nations so long as its wealth is held by a select few. It is not until wealth is diffused throughout the length and breadth of the land, through the hard hands of workingmen, receiving good and satisfactory wages, that a country becomes great and strong. It is by the imposition of duties on foreign manufactures and by increasing our own, that we will come to a time of high wages for all men. I illustrate it in this way: I take a small town of 1,000 or 2,000 people, inhabited by a millionaire or seigneur, and who has attracted round him 1,000 or 2,000 people drawing scanty wages, perhaps 75 cents a day, employed for 200 days in the year with farmers starving in the lowest grades of poverty, no advancement or intelligence, and no mechanics' institute to develop intelligence. What does this village support? A miserable tavern, one grocery and an attenuated blacksmith's shop. Everything is falling into poverty. Change the condition of things. Take away the millionaire and establish a large factory, where the hands shall be employed at profitable wages—not 75 cents a day and working two-thirds of the year, but at \$1.50 or \$2 for the whole year. It will then become a flourishing town with many stores, hotels, &c., with everything flourishing and improving, because high wages are paid. That is the course which was adopted by the people in the foremost rank among the nations of the world—those of our mother land. The people of England adopted a protective policy, for the protection of its home manufactures, so stringent in its terms that it absolutely excluded any competition from other lands. The people of the mother land possessed in no greater degree the elements of wealth than do the people of Canada. Our lands are as fertile as any in the world, our minerals are most valuable, and our people are intelligent. Under such conditions, and well guided by those who have the control of the Legislature, why should our people be inferior to any? They only need to repose full confidence, as they did during the last election, in those hon. gentlemen who lead the present Government, and to distrust hon. gentlemen opposite as completely as they did at the last election. They have only, I say, to place their confidence in men who are fully inspired with a desire to place this country foremost in the countries of the world, and to foster and develop its various interests, and is not merely seeking for low party advantage to pander to any people or party. I heard an hon. gentleman opposite—I think the member for North Norfolk—say that de-pite the marvellous system of protection in the United States, its imports under that close system had increased. It is one of the most wonderful effects of the protective system, and one that has been noted by political economists, that the closer and harder you make it—the more you protect the earnings of the people and their internal industries—the more you create among them a system of national wealth, and develop their means—the larger do their imports become; because the people, raised above toiling for the mere necessities of life, can procure luxuries from abroad. By shutting out articles that the industries of the country can produce, you give the people the means, by enhanced wages, of purchasing those luxuries. I should ask if there be in the members of the Opposition or among the supporters of the Government, or in the people of Canada, one element of that patriotism which alone can inspire and build up a nation and make of us a people whose name shall be honorably heard from one confine of the world to another, what is the condition to which we are inexorably bound if we hope for this success? It is that instead of this miserable, carping criticism of the Opposition, this carping at everything, this trying to set Nova Scotia against New Brunswick and Quebec, and the Maritime Provinces against Ontario, and of saying to the fertile prairies of the West: "Your interests are not identical with those of Ontario and the Maritime Provinces," we should favor a policy of mutual respect and cordial union. If we

Mr. BOULTBEE.

have any desire to make this country what it should become, we should sink all party differences, go in for a great united Canada, working hand to hand and shoulder to shoulder. It is difficult, doubly difficult, to divert the course of trade when some portions of this country have such intimate connections with the United States, with the affections of so many among us bound up with that country, with so many admiring its political system and desirous of bringing about annexation. It takes long years for us in Ontario to come into close connection with the Maritime Provinces, and extend our commerce so as to embrace the remotest parts of the earth. But when, gradually, year after year, we have drawn the links closer that bind Ontario and the Maritime Provinces, when Quebec and Ontario become as one, which they are becoming, because there is no difference of principle between their representatives, and in an intelligent and free spirit they may be bound together by those common interests which are going, I trust, to make a great nation of these Provinces, as there is no real dividing line between their inhabitants—let us get rid of those miserable little exhibitions of party feeling designed and calculated to excite sectional prejudices. Let us each give away or concede something, and attempt to build up our common interests. Let us remember that our country extends from the Atlantic to the Pacific, and that through the enterprise of our people we are extending a railway from the one ocean to the other, and also perfect telegraphic communication; that we are going to have not only speedy means of transit, but with it the means of developing, not only our national wealth, but our national ideas and energies—those ideas and energies that make a nation great. If we can only do this and be animated by a proper national feeling, and forget our miserable prejudices, if the member for Centre Huron could forget those bitter feelings that animate him sometimes, if the member for Gloucester could lay aside the prejudices of the circle in which he lives, if the hon. member that lately gave us a lot of statistics, which I could neither hear nor understand, with the object of discrediting the Tariff, if the members for North Norfolk and South Brant, and the member for South Perth, honest, sturdy Englishman though he be, with his strong sense of right, though, perhaps, warped by his party allegiance, and the member for Westmoreland, with his hearty countenance and ample form—if we could join all these gentlemen with the representatives of the French race, many of whom I respect, and make them forget their petty, personal distinctions, and unite with the grand aim of promoting national feeling and our national interests, a glorious work would be accomplished. This Canada of ours might then, with its great material resources, with its splendid lands, unrivalled mineral resources, and forests inferior to none on earth, become a nation of which we might all be proud, and which, instead of becoming a mere appendage of the mother land might become, even in the time of our lives, a strong ally of the empire, and a remarkable instance of the splendid results which unity and patriotic co-operation can produce.

Mr. BATERSON (South Brant). I had not intended to take any part in the Budget debate, because I think the idea prevails strongly on our (the Opposition) side that the business of the House should not be prolonged; and we are all very anxious to transact the remaining business and return to our homes. But I simply rise to offer a few remarks in reply to a statement made the other day, of which I will have to ask an explanation. Alluding, incidentally, to the speech we have just heard, and many others from the Ministerial side on a par with it, I must say the course of hon. gentlemen opposite is one of self-glorification, because the business of the country is in a better state, and we are enjoying an era of prosperity. No gentleman on this side of the House pretends to deny the fact. Gentlemen on this

side, as well as on the other, have experienced in their own business a tangible proof of the statement made. No one pretends to say that the country is not more prosperous than in 1878. We are in full accord with hon. gentlemen on that point, but what we say, having perhaps a little more reverence than hon. gentlemen opposite, is that we recognize the hands of Providence in this matter. We say that the prosperity we are enjoying is due to Providence alone, while hon. gentlemen opposite would rob Providence of that glory which belongs to Him, and almost imperiously claim for their legislative action what was simply due to Him. Surely they will not claim that the country has to thank their fiscal policy for \$5,000,000 worth of an increased crop last year; or that it stimulated the products of animals to the extent of nearly \$1,000,000. I say that the man who claims that the wealth which has accrued to the country by these \$9,000,000 is due to anything in the shape of tariffs or legislative action by any Government, takes a position not worthy of a man who professes to recognize the hand of Providence in the bestowal of his gifts to man. And I say that the manufacturers must share in the benefits which such an increase in the wealth of the country brings about, and is the reason that those who buy their manufactured goods—that is, the farmers—have more money in their pockets, and are consequently able to buy more of their goods. Where would the manufacturers have got their money, or their increased prosperity, if the farmers had not had more money in their pockets to buy the goods they make? It is an insult to common sense for any hon. gentleman to rise to pursue a line of argument such as has been indulged in with reference to this matter. And I repeat here what I stated the other day, that the great bulk of our manufactures—I except two or three lines—are in a worse position under the operation of this Tariff than they were before. I pointed to the decrease in the exports of the manufactured articles as unmistakable evidence in that direction; and although hon. gentlemen have attempted to weaken the force of that statement, that statement remains unimpeached by anything that has been said against it. And what was the line of argument which the Finance Minister took? He admitted that in thirty-five articles of export there had been a decrease of \$1,500,000, but he said: "I find you have a decrease of \$700,000 on ships, and there are some other articles in which there have been increases, making a total reduction of \$885,000." He says: "Take out ships and you have only decreased the amount by \$113,000." I ask if it is a reasonable line of argument to be taken by the Finance Minister of this country, that if the exports in twenty-two lines of goods have not decreased, then the thirty-five lines of manufacture which have decreased have not been injured? I ask the hon. gentleman if it is not possible to so frame a Tariff that certain manufacturers shall be benefitted while others are injured? Nobody pretends to deny that the present Tariff has stimulated the production of cottons and refined sugar; but what we on this side say is that while it may have benefitted these industries, it has done so at the expense of the country, and that so far as sugar, at any rate, was concerned we would have been better without such a tariff. What we contend is that a tariff should be arranged—and that a tariff will be arranged when these hon. gentlemen are succeeded by others who ought now to be in their places—which while benefitting the sugar refiners of the country, will prevent them from extracting quite so much from the pockets of the people. When the Finance Minister said that he deducted \$700,000 on account of ship-building, I asked him what right he had to take it? And he said that these people were forced to sell their ships because hard times prevailed in 1878, and their vessels were mortgaged. I ask him if that is a fair answer to my question? I ask him how it was in his former period of administration? In the good old days when as hon. gentle-

men opposite say Canada was prosperous and everything was flourishing? Were ships sold for mortgages then? Because I have to inform him that double the amount was sold in that year that was sold last year. The hon. gentleman's argument will not hold water, and I tell him that his Tariff has injured that business as it has injured many others. The hon. gentleman said that my argument was answered by the fact that we had increased our own consumption, that if we do export less it is because we have imported less and the difference has been made up of home manufacture. The hon. Finance Minister treated us to some statistics which he has collected from some source I know not what, but at all events he was pleased to give them to the House. While I have the greatest deference for a gentleman holding the high and exalted position of Finance Minister of this country, I also remember the fact that in one sense we both stand in the same position as members of this House; and I say, when he gives us reports and statistics regarding the different manufactures of this country, we have a perfect right to demand of him that these statistics and reports shall be laid on the Table of the House and printed, so that we may learn whence he obtained his information. I do not pretend to say that the Finance Minister came here and deliberately stated what was not true. I believed he obtained these reports as he stated; but I do say that the manufacturers have imposed upon the credulity of the hon. gentleman, and that statements should be published so that the people living in the communities where these manufactories are, may read them, so that they would be able to say whether they were true or not. Am I warranted in drawing the inference that the Finance Minister was imposed upon? I reply that his own speech proved it. What does he say with reference to one of these industries? He says he has returns showing that the boot and shoe industry has increased 25 per cent. during the past year alike with regard to the amount of production, the labor employed, and the fact that factories which were formerly running on two-third's time are now running on full time.

Mr. GAULT. So they are, in Montreal.

Mr. PATERSON. There is where the hon. gentleman makes a mistake; that is where the hon. member for Cardwell makes a mistake; that is where the Finance Minister, representing the whole Dominion, makes a mistake; they mistake Montreal for the Dominion of Canada. Let me point out the absurdity of that statement of the Finance Minister. What are the facts with reference to the boot and shoe trade? He tells us that 25 per cent. more men are employed, that the product is 25 per cent. greater; that in addition to that, while the factories in 1878 were running on two-third time, they are now running on full time. The total manufacture of boots and shoes in Canada will come to \$20,000,000 per annum. The total difference between the imports of 1880 and 1878 is \$163,000.

Mr. WALLACE (South Norfolk) Imports are not manufactures.

Mr. PATERSON. The hon. gentleman does not grasp my idea. We imported in 1880 within \$135,726 worth of boots and shoes as much as we did in 1878. That amount less has been imported in 1880 than in 1878. There was \$135,000 worth only of boots and shoes exported that were made in this country, and three-fourths more shoemakers were employed in order to produce one-fourth more of the total product, which would be \$5,000,000 worth of boots and shoes made, and in addition to that the people worked one-third more time.

Mr. WALLACE, (South Norfolk.) The people did not wear the same quantity.

Mr. PATERSON. The Finance Minister did not say that. If the hon. member for South Norfolk is prepared to go into statistics to show that the people went barefoot

more in 1878 than in 1880, let him do it. Then we have upon this same question the statement of the hon. member for Cardwell. The Finance Minister, engaged in a multiplicity of duties, might not see that in making this statement he showed that his whole figures were totally worthless and useless, for if that be his statement with reference to boots and shoes, we are warranted in suspecting his statements with reference to these other products. But the hon. member for Cardwell had not that excuse. He ought to have known. He undertook to criticize my figures with reference to exports. On the item of leather he admitted that there had been a decrease in imported leather as well as exported. Then he said there was \$500,000 worth more of hides imported last year than the year before, which also served to swell the production of boots and shoes. Putting these two things together he makes \$750,000 worth more of leather that was worked into boots and shoes during 1880 than in 1878. Well, the whole total of extra shoes that we wanted was \$123,000 worth. Now, these statements of hon. gentlemen opposite show how utterly worthless their figures must be when they say that we imported \$750,000 worth more leather in order to manufacture \$135,000 worth more of boots and shoes. It will not do for the hon. gentlemen opposite to take the position that the people are wearing less. I ask the hon. member for Cardwell, why do we make any exports of manufactured articles at all if the home market is not fully supplied?

An hon. MEMBER. Supply the home market first.

Mr. PATERSON. But you have an export trade in addition to supplying the home market. It proves one of two things—either that you have supplied the home market in full and have a surplus to export, or it proves that the price in the foreign market is as good as the price at home or we would not have sent it to a foreign market. If the price is as good in the foreign market as at home, of what value has been the legislation of these hon. gentlemen to keep the home market for our people? With reference to many of these articles in which there has been an increase in the exports, there has been no decrease in the importation, as many articles come into this country as before, showing that manufactures are in a worse state than before. Take agricultural implements. In 1878 we imported \$93,309 worth; in 1880, \$91,804 worth, only \$2,000 less imported, while the export decreased one-third. Take carriages. In 1880 we imported \$85,429 worth; in 1878, \$137,376 worth, an increase in the imports and a decrease in the exports; and will you tell me the carriage-makers are in as healthy a condition now as then? The Finance Minister maintained that the decrease of imports prove that the decrease of exports was not a matter of vital consequence; hence, by a parity of reasoning an increase of imports and a decrease of exports at the same time prove that the industry is materially damaged. Take leather. I need not go into the figures, for the hon. member for Cardwell admitted that there had been an increase. Take the sewing machine industry. Employing thousands of hands, an industry that is not second to the cotton industry, an industry that, I venture to say, so far as employment of skilled labor is concerned, stands higher even than the cotton industry. In 1878 we imported \$101,404 worth; in 1880, \$119,681 worth. There is that great industry in which the imports have increased and the exports decreased; and will hon. gentlemen tell me that that industry has not been injured? I might mention many other articles, all proving that you have your imports to as great an extent while your exports have decreased. While the Tariff may have stimulated the production of cotton to a certain extent, and to a slight degree the production of earthenware turned out by the one potter we have in this country, its operations cease there. The manufactures of agricultural implements, of sewing machines, of boots and shoes, of soaps, of candles, and of many other indus-

Mr. PATERSON (Brant).

tries, have been injured materially by this Tariff. Let me tell one fact to the hon. gentlemen opposite. If you ask the individual manufacturer in Canada how his business compares with what it was in 1878, he will reply: "My business is better." If you ask me if one of the lines of industry I am engaged in—the steam biscuit and confectionery manufacture—is more prosperous in 1880 than it was in 1878, I say yes. But why? Because since the Tariff of the hon. gentleman came into force nearly one-half of the manufacturers in that line have closed their shops, and the few who struggled through now find an increased demand and are making a little money. The same remark will apply to the boot and shoe and other industries in the country—their business is better, but the reason is that many who were competitors in 1878 have gone under; their shops are closed, their machinery is lying idle, and consequently they find themselves with an enhanced demand and better prices.

Mr. ROBERTSON (Hamilton). Will the hon. gentleman state where the machinery is lying idle?

Mr. PATERSON. I will tell him that he could have bought in Guelph the other day, for \$2,200, a lot of machinery and business that was lying idle, that cost the proprietor \$14,000; I could point him to shops in other towns where machinery was sold for one-fourth of what it cost; I could take him through the country and show him shops after shops that were busily employed during the administration of the hon. member for Lambton (Mr. Mackenzie), the doors of which have since been closed. As soon as business revives, the same competition will go on again with its ruinous results, and the same cry will go up from the manufacturers, that their margins have been diminished until what was once a lucrative business has become a losing one. Let the hon. gentleman wait for a few years, and I venture to predict that this will be his experience with the cotton manufactures which his Tariff is now stimulating. The country has improved; \$9,000,000 has been brought into the country through the operations of a kind Providence with which the tariff had nothing to do, and with an increased demand, with money in the pockets of the farmers to buy, and with less men to produce manufactured articles to-day than in 1878.

Some hon. MEMBERS. No.

Mr. PATERSON. I say, yes. Hon. gentlemen may say no as long as they please, but they cannot give the facts to prove their statement. I repeat that the total number of men engaged in manufactures in Canada to-day is less than the number in 1876.

Some hon. MEMBERS. Prove it.

Mr. PATERSON. I gave one line. The hon. member for Niagara (Mr. Plumb) says, "It's all wind." There was a time when I paid some attention to the utterances of that hon. gentleman, but I pay no attention to them now. The other day he gave me a sufficient insight into his character when, after the hon. member for West Middlesex (Mr. Ross) had gone to consult him in private conversation, he thought it not beneath him to make a public declaration of it, and turn it against him. A gentleman who can do that may interrupt me with impunity, and I do not feel it my duty to regard what he says. I want hon. gentlemen opposite to observe this point also. When they talk of the improved feeling among the manufacturers of this country, they speak as though the manufacturers alone had improved. When the hon. Finance Minister asked the manufacturers to send in to him a statement of the condition of their balance sheet, and what the Tariff had done for them, did he ask the same from the importers of this country? They are the very opposite of the manufacturers, and his Tariff was designed to injure them. Let him ask them for a similar statement, and they will tell him that

they are doing an increased business and are richer to day than they were in 1878. If the importers are doing better, this certainly proves that the manufacturers are not doing better because of the Tariff. But I consider it a mere waste of time to attempt to refute the statement that the country is more prosperous than it was in 1878. Every man knows that; no man denies it; the only difference between us and hon. gentlemen opposite is that we see that our prosperity is due to the blessings of Providence, and acknowledge it, while they attempt to attribute it to legislation. Let me refer to a statement made by the hon. Finance Minister that I endeavored to make a flank movement upon him in making the statement I did a day or two before he made his Budget speech. It was not worthy of the hon. Finance Minister to make that statement. I challenge any hon. gentleman to read the remarks I made on that occasion, and say I went out of the record. I put a motion on the notice paper; I wished to arrive at a certain result. I made no comment until the return came down. I then found it was only a partial return, but from what it contained it proved to be so unsatisfactory in its nature that I had occasion to make another motion, and in making that other motion I took occasion to point out to the hon. Finance Minister what I had a right to direct his attention to. I pointed out that there was a very serious decrease of exports in our manufactures, that that decrease was due to the fact that his Tariff had hampered our manufactures and placed them at a disadvantage in a foreign market, that he said he would compensate for that disadvantage by a system of drawbacks, and that he had not allowed those drawbacks. Every word I uttered was pertinent to that one subject. I could not be accused of anticipating his Budget speech in moving on a certain line and in not deviating in the slightest from it. When the hon. member from Centre Huron was Finance Minister, much as he was depreciated by hon. gentlemen opposite, he was able to manage the affairs of his office.

Mr. RYKERT. Deficits.

Mr. PATERSON. The hon. gentleman, by his interruption, will cause me to speak longer than I intended. The late Finance Minister, at any rate, let him be incompetent or not in estimation of the hon. gentlemen opposite, was able to give his Budget Speech 19 days after the House opened in 1874, 12 days after it opened in 1875, 15 days in 1876, 12 days in 1877 and 15 days in 1878.

Mr. FARROW. What has that to with it?

Mr. PATERSON. It has this do with it, that the present Finance Minister, instead of taking twelve or fifteen days, took seventy days to bring down his speech. While the hon. Finance Minister might reasonably have expected me to wait twelve or fourteen days, it was too much, after making me wait seventy days, to find fault with me because, on the sixty-eighth day, I could not let my motion stand any longer.

Mr. HESSON. It always takes longer to work out a surplus than a deficit.

Mr. PATERSON. But the Finance Minister has a deficit. The hon. member for North Perth does not seem to be cognizant of the state of our finances. We have a deficit about as large as we had under the reign of my hon. friend. No doubt the late Finance Minister had a deficit. And why? Because, in a period of depression, when the people found it difficult to procure fuel and clothing, he refused to heap on the already overburdened people any additional taxation. Had he added to his Tariff the 6 per cent. additional taxation which the present Finance Minister has levied, would he have had a deficit? Does the hon. gentleman not know that if the hon. member for Centre Huron had added on the classification of his goods the 6 per cent. additional of taxation that has been imposed by the present Finance Minister

he would have had \$4,000,000 more revenue than the present Finance Minister has out of his. Hon. gentlemen opposite think the whole duty of a Finance Minister is to put 30, 25, 60 or 65 per cent. on goods, because some Americans came here and told them to do it, without looking at the operation of these duties. Let them take the tariff as classified by the late Finance Minister, and add the 6 per cent. to it, and they will find that instead of having a deficit they would have all the money the present Finance Minister has obtained, and \$4,000,000 additional; and we would have, besides, free coal, free breadstuffs, sugar a cent a pound cheaper. I thank hon. gentlemen opposite for having used the word deficit, as it has enabled me to make this statement. I did not intend to speak on this question, but I thought it would be as well to make the statement now rather than make it on the adjourned debate on my motion, when the hon. Finance Minister might say I should have done so before the Budget debate was closed. Everything points to the fact that the present Tariff is anything but a scientific one, that it affords no more protection to the great bulk of manufactures than the late Tariff, while it takes \$4,000,000 to \$5,000,000 more out of the pockets of the people. I call the attention of the hon. Finance Minister again to the fact that in the great bulk of Canadian manufacture the imports in 1880 were as great as in 1878, and to the alarming fact that in thirty-five lines of manufactures there has been a decrease of exports of \$1,500,000. I ask him to find some remedy whereby he may give to these manufacturers who find their export trade failing, the drawbacks to which they are entitled, in order that they may be able, at any rate, to retain their export trade. Do I see any symptoms of change? No; I find that the hon. Finance Minister has introduced into his Tariff an increase of duty on tubing from 15 to 25 per cent. I commend this fact to the attention of the hon. member for North Huron, who is interested in salt wells, an industry which he knows was passed over by the hon. Finance Minister, an industry which the hon. Finance Minister could not protect. But the hon. gentleman can join with me in protesting against this increase of duty which will add 10 per cent. to the material cost of sinking every well. This same tubing goes into the manufacture of boilers and work-hops in the Dominion; instead of aiding our manufactures, here is another turn of the screw by which he is going to hamper the export trade of our manufactures, because we are told by the hon. Minister of Customs that no drawback would be allowed on this tubing because it is a manufactured article imported into this country. Why, take the article of tin. Tin is not made in this country, surely it is a manufactured article. And yet that sheet of tin comes into the country and is made into lobster cans, on which a drawback is allowed. But boiler tubes are more needed here; they are imported, but no drawback is allowed because it is said they are finished articles. They are, however, no more finished articles than is the sheet of tin a finished article. Take it in any way you like, there is no doubt that manufacturers, instead of being placed in a better, will be placed in a worse position by the amendments to the Tariff, and that the Government is injuriously affecting the important industry of boiler-making and machine shops by placing an extra 10 per cent. on all tubing not made in the country. I believe there is to be a tube factory established in Montreal; that \$10,000 will be put into the enterprise. But that establishment will only make one kind of tubing, it would only make butt tubing, and not lap-welded tubing which enters largely into manufactures in this country. Therefore, in order to protect that little \$10,000 establishment, an additional 10 per cent. has been placed on all imported tubing, such as is used for our oil and salt wells, and machinery purposes. The Finance Minister

will probably say that is so up to certain sizes, but that includes the manufactures of which I have spoken. Hon. gentlemen opposite will see two points clearly; that there is no necessity for them to argue that trade has improved, as we are as cognisant of the fact as they are, the only point of difference being as to the cause. We say that \$9,000,000 extra coming into the country as the result of the harvests is not due to the Tariff. We admit that those \$9,000,000 benefitted the manufacturers as well as other persons; that as the result of that our manufacturers have been benefitted and from no other cause. Moreover, the Tariff, with the exception of two or three industries, has placed our manufacturers in a worse position than they occupied under the Tariff as arranged in 1873, and that is incontrovertibly proved by the decrease of exports while the imports have not fallen in like ratio.

Mr. FARROW moved the adjournment of the debate.

Motion agreed to.

#### PRIVATE BILL.

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

Bill (No. 69) respecting the Ville Marie Bank (from the Senate)—(Mr. Desjardins).

House adjourned at 12:25 o'clock, a.m.

### HOUSE OF COMMONS.

FRIDAY, 25th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### REPORT.

Mr. POPE (Queen's) presented the annual report of the Department of Marine and Fisheries.

#### AMENDMENT OF CONSOLIDATED RAILWAY ACT.

Mr. CASGRAIN, in introducing a Bill (No. 70) to amend the Consolidated Railway Act, 1878, said: I desire to call the attention of the Government to this Bill. It is framed with the object of removing certain injustices to the taking of water under the Railway Act. I understand a Bill has been introduced in the Senate to amend the General Railway Act, but it appears to be uncertain whether it will be proceeded with. The Bill, I believe, is not yet printed, but if it should come before this House, I may then put this amendment in the general Bill proposed by the Government.

Bill read the first time.

#### LOAN COMPANIES.

Mr. BRECKEN introduced a Bill (No. 71) to provide for empowering Loan Companies to carry on business throughout Canada.

Bill read the first time.

#### WAYS AND MEANS.—THE BUDGET.

House resumed adjourned debate on the proposed motion of Sir Leonard Tilley, "That Mr. Speaker do now leave the Chair for the House to go into Committee to consider of the ways and means for raising the Supply to be granted to Her Majesty."

Mr. FARROW. Mr. Speaker, I desire to say a few words before the debate closes, and I assure the House I  
Mr. PATERSON (Brant).

will not occupy its time very long. As speeches have been delivered by lawyers, doctors, the Finance Minister and ex-Finance Minister, bankers and other hon. members, I thought it desirable that the farmers' side of the question should be presented. Having been a representative of that class for about thirty years, and being still not ashamed of representing it, perhaps a few words in that direction might be advantageous, and will show the farmers, in my riding at least, that there was some one in the House of Commons to stand up and advocate their claims. During the last eight or ten years I have seen some great changes in the House of Commons. I have seen the defeat of what I call my Government; I have seen the bringing in of the new Government who are now in Opposition, and I may say that I watched with great interest the proceedings of that Government. From the promises they made to the country, we expected great things of them, but I need not tell the House that all their promises were failings, that, in other words, they seemed to go back on all their promises. My hon friend and neighbor—because I claim him as a neighbor—the member for Centre Huron (Sir Richard J. Cartwright) fell into troublesome times. Some people say he was born with a silver spoon in his mouth. I am not going to discuss, at the present time, what advantage that is to a man, but I should think it would be a very great advantage. If a man comes into the world poor, if he does not inherit a patrimony and has got to work and struggle his way into existence, it is certainly a hardship, and it is a hardship which many of us have had to undergo. However that may be, the hon. gentleman has not had a very smooth course, politically; one great drawback to his success seemed to be that he was too dogmatical, and that he set himself up as a standard beyond which there was no other. What he did not know was not worth knowing, and although the country had to suffer for it, our party has to thank that gentleman more than any one else for bringing us into power. We all remember the time when deputation after deputation came here to interview the hon. gentleman, and to tell him that they must have protection for the industries of this country, which under his Tariff were being sacrificed to the interests of the United States. But he turned around and told them, in effect, that they had better go home and mind their own business; they did not know anything about the state of this country. He was too dogmatic, too heady, he was too—what shall I characterize it—

An hon. MEMBER. Cheeky.

Mr. FARROW. Yes; cheeky and bumptious, if you like; and the country rose up *en masse*, on the 17th September, 1878, and said that if their rulers were too dictatorial, if they would not take advice, we will change them. They had a right to do so, and they did do so. They brought in a new lot of men who inaugurated the new policy which they had promised the country in 1876, and, so far as they possibly could, they have fulfilled the promises they made to the people, though I am one of those who find a little fault with them. I think that in giving our eastern friends protection on coal, and refusing to give us protection on salt, they acted too much like the patriarch, in giving his favorite son a coat of many colors. We hope yet that the Government will accede to our wishes and give us protection on salt. While on this point I may say that I am sorry that the member for Centre Huron and the member for South Huron have not given me the slightest help in securing protection for this struggling industry; and I believe if they would come out squarely in favor of protection for salt the Government would not long refuse it. I wish to say a few words about the agricultural industry—about the most important industry in this country. I, for one, consider the farmer as of more importance than the lawyer. The toiler who gets up

early in the morning, eats his breakfast, and then betakes himself to the field to plough and sow his broad acres, is a man who adds something substantial to the wealth of the country, and is a man far superior to the lawyer. I hope my hon. friends will excuse me when I say that I think we have too many lawyers in this House, and that we might very advantageously exchange half a dozen of them for that number of good farmers. I know what the farmers want, and I know that they are such an independent and sturdy lot of fellows that if they cannot get it from one Government they will from another, and they certainly will not permit themselves to be humbugged. The farmers wanted protection and they got it, and they thank this Government for it. I have carefully noted the opinion among the farmers, and they thank this Government for giving them protection on grain, wheat, corn, flour, oats, and all kinds of cereals. Do you mean to say the farmers have not enjoyed greater prosperity during the reign of this Government than during the reign of the last Government? Why, everyone admits that they are more prosperous now than then. But the Opposition pretend that Providence has blessed the farmers with better harvests than they ever had before. The Opposition would try to make you believe that a different sun shone on this world, that the rain drops were charged with extra fertilizing powers. Why, it is all nonsense. I affirm that we never had such good crops since 1854 as we had in 1877, and not only that, but that we had the best prices. I am going to read from the *Globe* of July 26th, 1877:

"From all sides the news reaches us every day that the fall wheat, of which a much greater breadth than usual was sown this season, is not only far above the average in the amount of the yield, but is the finest sample of grain we have been favored with for a long time. In many places there will be twice the average yield, and from fifty to sixty bushels to the acre will be no uncommon return in many parts of Western Ontario. There is reason to believe that spring wheat will not be much more than an average crop, if it reaches that point, though at its present rate of progress it is impossible that it may turn out much better than is now expected. The other spring grains are, however, excellent crops. Oats are in many places better than they have been for years, and so are peas and barley, though neither of these are of so much importance as wheat. Root crops promise well, and there is every likelihood of an excellent yield of fine potatoes in spite of the ravages of the Colorado beetle. On the whole, the prospect is a very cheering one for the farmer, and as all classes depend upon him all will share in the pleasant anticipations he is now fairly entitled to indulge."

Could anything be more cheering? Could anything be more satisfactory? I remember well working in the harvest fields in 1855, and I remember the excellent crops we had then. Why, then, had we not better times? Where did all the money go to that was received from those crops of 50 to 60 bushels per acre? Let us examine the public accounts for that year. The *Globe* said: Gentlemen, we can see daylight through the darkness. But the Finance Minister, looking through his spy-glass, kept coming down and saying: "It is dark, dark, dark. But I think I can see a little light about as large as a man's hand; I think we can see a silver lining." We all followed him as our captain. But the next year he came down and demolished the whole prospect again. He said: "It is dark, dark, very dark." Well, this good harvest and these good prices did not benefit us at all, according to the argument of the hon. gentleman opposite. We had the largest deficit that year of any other year. I think the hon. gentleman opposite ought to rise and explain. Let the hon. member for South Brant (Mr. Paterson) who declaimed so loudly against this policy, get up and explain the reason of those deficits. What became of that money? Why had we not prosperous times? Echo answers why. They cannot explain it. We had an excellent harvest in 1877, and we had good prices for our grain, as I will show from the *Globe*. Fall wheat, in 1877, was \$1.25 a bushel; in 1879, \$1.20. Five cents a bushel on all the wheat that was raised in Canada would be a large sum of money, yet it failed to bring the promised good time. We were still in darkness and financial difficulties,

plunged head and ears into debt, and could not extricate ourselves at all. The price of spring wheat was \$1.15 a bushel, barley 65 cents, oats 33 cents, and peas 66 cents; in 1879 peas were only 64 cents. Let my farmer friend from Wentworth (Mr. Rymal) get up and explain why the times were bad in 1877. The fact is their policy was wrong, and the country told them that; their own friends told them that. Why, their French supporters, I understand, came and begged of them to change their policy. I am convinced, if the hon. member for Lambton had changed his policy, he would have been in power to-day. But that shows the difference between the Liberal Conservative and the Grit party. They know too much, and they will not accept any advice; whereas we do not pretend to know much, only we are willing to carry out the wish of the great body of the people, and as long as we do that we shall be in power. The National Policy a drawback to this country! Let it not be said so on the floor of this House or in any of the constituencies. I should be afraid the farmers would drum me out of my riding if I insinuated anything of the kind, because they know better. They have even blamed the Finance Minister for not going forward faster. They say, where are the great iron industries which ought to be created by Protection? We have plenty of iron ore waiting to be utilized, and instead of buying our steel rails from foreigners, we ought to make them ourselves—instead of shipping our iron to the United States at about \$4 a ton and getting it back at about \$60. If the Government would protect the iron industry, so that furnaces could be established here and in the Maritime Provinces, it would be a great boon to the country. The farmers believe this, at any rate, that the National Policy by protecting their wool, raised the price last year from twenty-two cents a pound to thirty-two cents a pound. I would like to see the hon. member for Centre Huron (Sir Richard J. Cartwright) go among them and tell them this is all a hoax. Why, they have their money in their pockets, in the banks, or in improvements on their farms, and they would not believe him. Tell them that the duty has not advanced the price of coarse grains. Let the hon. leader of the Opposition go into the County of Bruce, which he formerly so honorably represented, and tell those sturdy farmers that it is all a lie, that they are deceived, and, with all deference to his great talents and ability, they will tell him that he knows nothing about it. Look at what they got for their butter and cheese last year. Some of the farmers made fortunes last year, and I am glad of it. They say everything is going like clockwork with them now; they are living comfortably and happily; they are enabled to obtain plenty of comforts and luxuries; they are getting organs, organettes, and pianos into their houses; they are improving the education of their children, many of whom go to the grammar schools and some to the colleges. Although we have only a few farmers in this House to-day, you may depend upon it that in a few years there will not be as many lawyers and doctors and bankers here as there are, but sturdy, healthy yeomen will take their places, and I say, God speed the time. Now, I ask, who likes to see an army of beggars in the country? Who likes to see an army of men who are willing to work and can find no work? It pained my heart, when a few years ago we saw two or three hundred men in this city who could get no work, coming up to this House for assistance. I ask, have these things not changed? Has not the desert blossomed like the rose? Are there men in Ottawa to-day crying out: "Give me work to enable me to support my wife and family?" A man engaged in the lumber business of this city told me the other day that he had hunted this city for men and could not get them. We have not this army of men seeking employment now. Years ago, in walking up and down the streets of this city, I met unemployed men by scores and felt sorry for them,

Occasionally, I would go into a store and ask the proprietor what was the state of business. The invariable answer I got was that it was very depressed. One merchant said to me: "We cannot sell, there are so many bankrupt stocks for sale; with the exception of about three houses, all the firms on Sparks street are bankrupt, and are selling their goods for a mere song." That was the state of things under the Administration of the late Government, notwithstanding the good harvests and good prices for cereals. There are not the same number of bankrupt stocks now, and I notice we are getting good prices for our oats, pork, butter, rye and all cereals. Are we paying, I ask, too dear for our whistle? Are the farmers now paying excessively high prices for what they want? Are they paying too high for their coffee, tea, sugar, rice, clothing? If they are, it will alter the case completely. But I can tell you this. I have been a close observer. I have gone into the store, and have interrogated the merchants as to how last year compared with years gone by, in respect to prices. They tell me we can get, with all the little fluctuations, a little more now for our dollar than we could formerly. I was glad to hear the hon. Finance Minister say that sugar was cheaper now than it would be under the old Tariff, because his statement bore out my experience. The farmers are perfectly satisfied with the prices of their cottons, their woollens, and their Canadian tweeds, that give such good wear. I was glad to find my hon. friend from Montreal West, (Mr. Gault), a practical and experienced man, say that better values were given to the people for their money to-day than at any previous time. His statement coincides with the experience of the farmers who, I can tell you, are wide-awake men; who are so wide-awake that when they hear they can get a cent more per bushel for their wheat twenty-five miles off than nearer home, they will hitch in their horses and bring their wheat that distance. You need not say these farmers are not shrewd men; they are as shrewd as any kind of men you can meet. I have much pleasure in reading the following extract from the spring circular of Messrs. Samson, Kennedy & Gemmel, of Toronto:

"The year begins auspiciously to all in the dry goods trade. Values are firm; no excess of goods is apparent. Money is in free circulation, and the consumptive demand is enlarging. Merchants, both wholesale and retail, throughout Canada, have been taught a lesson during the past four years which it is hoped they will not easily forget; but will allow a sound Conservative policy to take the place of reckless trading. It is evident that an improved state of things prevails. Dark clouds that hung over the commercial and financial world during the years 1876 and 1879 have disappeared and confidence, which is essential to prosperity, has again returned. The year 1880 has been characterized by an unusually small number of bad debts. It may not be uninteresting to state (the figures are taken from reliable sources) that the number of failures in Canada in 1876 were 1,728, with liabilities amounting to \$25,000,000.

In 1877 the number was 1,892, with liabilities same.
" 1878 " " 1,697, " " \$24,000,000.
" 1879 " " 1,902, " " 29,000,000.
And " 1880 " " only 907, " " only 8,000,000.

"It is, therefore, highly gratifying to be able to present figures which show that a marked state of prosperity prevailed in 1880, as compared with the three years previous, and that we believe the prospect for the future is bright and very encouraging, unless we bring upon ourselves a speedy re-action by a departure from sound business principles."

I think the man would be bold, if not audacious, who should tell me that 14,000 workmen extra employed in this country, representing 42,000 mouths, were not a benefit to it. That is what we have in Canada. Do you say send these men to the United States to work in the mills, or to England to work, and let us import the cloth and different other manufactured articles we use? Who would recommend that? Not one, you might as well tell me the sunshine was not beneficial and the rain drops were of no use, as that those 14,000 extra mechanics now employed in this country, who, with their families, make up a total of 42,000 persons, and who consume our cabbages, turnips, onions, butter and cheese, and agricultural products that will not bear trans-

Mr. FARROW.

portation, are of no use to it. It is nonsense to say the opposite. I thank the House for the attention with which it has heard me on this occasion.

Mr. FLEMING. I scarcely expected to be called on to say anything on this occasion, but I cannot help protesting against the statements made by the hon. member who has just resumed his seat, that he spoke for the farmers of Ontario, in claiming that they were perfectly satisfied with this National Policy. I do not wonder at hon. gentlemen opposite doing everything in their power to keep up the belief in the public mind, that this National Policy is a benefit to the country. Their political existence depends upon that belief. They grasp at that policy as drowning men grasp at straws. The member for North Huron (Mr. Farrow) asks—why is it that after the abundant crop of 1877 good times did not come right away? He put the same question, I believe, to me last year, and the answer I then gave is equally good now. If he could show me that the export of the wheat crop of 1877 was larger than the export of wheat from the crop of 1878, I would acknowledge there might be something in his contention. I think a very good reason why good times did not come all at once after the crop of 1877, which was a very good crop compared with that of the previous year, was that the previous year's was a comparatively poor crop. To show that it really was so, I will call attention to the fact that in 1876-77, the year previous to the one which the hon. gentleman cited, we imported of wheat and flour, reduced to wheat at the rate of  $4\frac{1}{2}$  bushels per barrel, 7,059,834 bushels; and we exported 4,803,070 bushels; excess of imports over exports, 2,256,764 bushels. We had to buy that quantity to make up the deficiency in the country, and to pay for it, in cash, \$2,183,653. Did not that help to leave the country bare? Did not the people feel the evil results of that bad crop? The next year the crop was good, but a great portion of its surplus had to go to make up the deficiency of the previous year. The exports for 1877-78 were 10,655,845 bushels, and the imports 7,050,751 bushels, being an excess of exports of 3,615,094 bushels, or but very little more than the deficiency of the previous year. We could not expect any great revival of prosperity in a year succeeding one exceptionally bad. In 1878-79 our wheat exports were 12,381,047 bushels, including flour. We imported 5,639,051 bushels, leaving an excess of imports over exports of 6,781,996 bushels. So that it required those two years, and it were, to make up the deficiency of 1876-77; and if there are better times now—which we admit cheerfully, there having been so many more bushels of wheat raised and sold, and so much more money brought into the country—we should undoubtedly expect a revival from that cause. But look at the trade returns for last year and previous years, take the produce of the forest for 1875-76, which amounted to \$20,337,469; animals and their produce, \$14,548,253. The agricultural products in 1876-77 were \$19,279,726. Last year, animals and their produce, \$18,504,005; agricultural products, \$22,287,128. Now, these greatly enhanced exports last year made a great addition to the wealth of the country; apart altogether from the National Policy, there could not fail to be better times at present than in 1876-77. The member for West Huron says that the farmers are fully satisfied with the National Policy, because with it they get better prices for their produce; but he did not prove his assertion. They may have got better prices on account of the depression and the poor crops in England; but he should show they got better prices for what was consumed in Canada than if there had been no National Policy.

Mr. FARROW. I can produce evidence to show that, though in England there was not the same depression the past year as before, prices were better in 1877.

Mr. FLEMING. The hon. gentleman's statement amounts to this, that last year the English crop was better than that of the year previous. The year previous there was a very poor crop, consequently there was depression in England. There certainly was very very great depression among the agricultural class in that country. During the depression a general election occurred. What did the leader of the English Opposition, Mr. Gladstone, then do? Did he go round and tell the people of England: "I have got a grand panacea for your poverty and trouble, a patent remedy that will cure your disease. Put me in power and you will have better times?" Did he say so? No. I beg to call the attention of the House to a speech made by Mr. Gladstone, during his tour in Scotland before the elections. He said:

"Do not suppose that I have come among you as a quack doctor, and with a nostrum in my pocket which I am ready to offer to you as an infallible cure for agricultural difficulties. \* \* \* \* \* What have you to ask from a candidate, or from a member of Parliament, or from a Parliament? You have not to ask from them, or from any but yourselves, that your trade and occupation shall be profitable. It is your own intelligence, care, thrift, and industry, which alone can insure success in your sphere of life, and if it were possible for you merely to fold your arms and to throw upon your candidates and members of Parliament, all the responsibility of finding you a lucrative occupation there, not only would you fail in that end, but you would also lose the masculine qualities which have made Scotland famous, and you would become really unworthy of being citizens of such a country. What is it then that you have a right to ask? I have said before, that you have a right to ask perfect freedom in what you buy and what you sell, and so far, I think the law has tolerably met your free and just demands. There is nothing that you buy, for which you pay a price, enhanced by anything except the real necessities of the Government. You no longer pay prices enhanced against you for the supposed interest of particular classes."

That was the way in which Mr. Gladstone met the people of Scotland previous to the last general election. How very different was the course taken by hon. gentlemen opposite. They said: "Your success does not depend on your own energies, but on the adoption of a particular kind of tariff, which will impose additional taxes." But referring to the subject of which I was speaking when interrupted by the hon. member for North Huron (Mr. Farrow), I desire to call attention to the fact that several articles were cited by that hon. gentleman for which he said the farmers were receiving better prices, and among them he named wool. Now, wool was not protected when the Tariff was first introduced. There was, however, a duty placed on wool last year, but according to the Trade and Navigation Returns no wool of that class was imported, consequently the farmers could not get any benefit for the three cents duty imposed last Session.

Mr. PLUMB. But there was a duty placed on the manufactured articles which raised the price of wool.

Mr. ROSS (West Middlesex). It did not rise in price.

Mr. FLEMING. There are no doubt difficulties in the way of arriving at a conclusion as to the benefits or injury received by the farming class from the Tariff. If it were possible to extract from the causes that have produced a better state of things, the factors mentioned by the hon. member for North Huron, the rain drops and sunshine, we could then find just how much benefit was due to the National Policy. But surely no hon. gentleman would claim that the National Policy made the sun shine more brightly or the rain descend in greater abundance, for they were beyond man's control. Those were in truth the chief causes of better times, not the National Policy. I contend the National Policy has not benefitted the farmer, because it does not enable him to obtain better prices for what he sells, than he had before it was adopted. Suppose a farmer goes to a mill or to a wheat buyer with a load of grain. The buyer does not say to the farmer: "I will pay you so much for the wheat which will be ground into flour for export to England, but I will give you five cents per bushel more for the balance of the load, because I will send it down to Montreal and sell it to the workmen employed

at Redpath's refinery." The buyer simply says: "I will give you a price for your load in accordance with the price indicated in the English market." The western farmer obtains no benefit from the additional number of men employed at Montreal. The hon. member for North Huron (Mr. Farrow) is a strong advocate of farmers' interests, but he has not left on the House a favorable impression as to the intelligence of the farmers in his constituency. He has mentioned as a proof of their wisdom, smartness and prudence that they would carry a load of wheat 25 miles in order to get an additional cent per bushel. Suppose a load of 50 bushels was carried a distance of 25 miles and return, 50 miles in all, the additional sum received would only be 50 cents; if they would do that it did not speak much for the intelligence of the farmers of North Huron. I ask, however, the aid of the hon. member for that constituency in pressing on the attention of the Government the question of allowing a drawback on corn used in feeding cattle for export. When a duty on corn was first spoken of in this House, the Finance Minister was asked as to whether he would not allow a drawback to farmers who used American corn for feeding cattle for shipment to England. The answer given was that there would be a great deal of trouble about the matter, and that distillers would require a large quantity of corn. It appears that the Government had afterwards acceded to the request of the Starch Company of Edinburgh, to grant a rebate on corn used in the manufacture of starch, they did not say then that they could grant no such rebate because there was a great deal of corn used by the distillers. I wish to call attention to the comparative insignificance of the starch industry as compared with the industry on whose behalf I asked the Government to grant a drawback. I am happy to see that there are several members of the House interested in the important trade of exporting cattle—important especially to the Province of Ontario. Speaking from my own experience and observation, I am certain that if it were not for the practice of stall feeding cattle in late years, the fertility of our soil would have been very much decreased. According to the Trade and Navigation Returns for 1878-79 the exportation of cattle and sheep amounted to \$3,084,741, while the exports of starch amounted only to \$863—the comparative importance of one industry being about one-quarter of one per cent. of the other. There were 46,569 head of cattle exported, and 308,093 head of sheep. To transport these cattle and sheep would require 6,000 cars and 11 steamships, while the starch would not fill one car, there would be room for 5,000 pounds of freight besides. The feeding of these cattle and sheep at home would employ 4,000 men for four months in the winter season of the year, when it is a matter of great difficulty to find employment for farm hands. A farmer can hire men for the whole year for very little more than he would have to pay them for eight months services in summer. There are, besides, to be considered, the men who are employed on the railways, and on the steamers while crossing the ocean. By the census of 1871, there were five starch factories in Canada, employing seventy-two men, and giving a product of \$222,664 worth, or \$3,092 to each man, and the \$863 worth exported was equal to the product of one man employed for three-and-a-half months. The Minister of Customs and the Government granted the request of the starch manufacturers, and, from whatever cause, the trade in starch has since very largely increased, as last year there was no less than 643,057 lbs. exported. I am not able, of course, to say that that increase is solely due to the drawback on corn, but certainly these are the facts of the case, and I think it is worthy the attention of the Government, whether it would not be well to grant a drawback upon corn used in feeding cattle for export, seeing that it has apparently so beneficial an effect

on the starch industry. When the hon. member for South Brant (Mr. Paterson) was speaking of drawbacks the other day, the Minister of Customs stated that they could only give drawbacks on the raw material. That statement differs from the statement made by the Finance Minister in 1879, when he stated that they would give drawbacks on all goods used in manufactures exported, and I think it is scarcely fair not to allow it on the goods mentioned by the hon. gentleman, for it very often happens that what is the manufactured product for one man, is the raw material for the other. I did not intend to have spoken on the present occasion, or I should have gone rather fully into statistics regarding the North-Eastern States of the Union, which were in much the same position with regard to manufacturing industries as the older parts of the Dominion. The argument used upon the farmers in those States when manufactures were first started, was that these establishments would, bring the field and the factory side by side, so that the farmers would have a home market for their grains. But instead of advancing, we find that the farmers in these States have been falling back in the march of progress, and that I fear will be the experience of Canada, if protection continues to be given to manufactures to the detriment of other industries. Protection is a very nice thing if the farmers get as much as they give, but it is certain that some lines of manufactures are getting more than they are giving the farmers in return. It is easy to see that the property invested in some kinds of manufactures is increasing in value, while, on the other hand, there is no doubt that farms in certain portions of Ontario are decreasing in value. Indeed, one great evil of a protective system is that, by a fictitious and arbitrary means, it compels capital to return a larger interest upon investments in one branch of business than in another. Hon. gentlemen opposite surely do not contend that sitting in a council chamber and making a few strokes with a pen, they can add to the wealth of a country, though they may possibly interfere with its distribution. In former times, Toronto, Hamilton and Brantford did a large business in the importation of sugar, but now the trade has been taken to Montreal, the business was interfered with by the working of the Tariff. I only rose to protest against the statement of the hon. member for North Huron (Mr. Farrow), that the National Policy, so called, is in the interest of the farmers.

Mr. GIROUARD. I do not intend to inflict a speech on Protection upon the House. Protection was accepted by the people of this country at the last election, and I believe it has already produced good results. Not only do we hear no more of soup kitchens and bread riots, but the manufactures of this country are in a flourishing condition. In fact, the judicial statistics quoted by the leader of the Opposition a few nights ago, showing the decrease of law business in Montreal, are the best proof of more prosperous times. But my chief object in rising was to make a personal explanation, though not altogether unconnected with the subject under discussion. During the debate of the Pacific Railway contract I stated before this House that the Liberals of the County of Jacques Cartier, which I have the honor of representing in this House, were in favor of this contract. I stated that I held several meetings, more particularly at Point Claire, where, out of 350 electors, I only polled 53 votes, and that the electors pronounced in favor of the Pacific Railway contract. Since that debate closed I have been taken to task by some of the Liberal organs. At first, the *Patrie* stated that the meetings I held in Jacques Cartier were of such a private nature that they could not be considered as an expression of the opinion of the country upon the subject. Some of the Liberal papers stated, moreover, that the electors of Jacques Cartier were complaining in silence against the conduct of their member in this House. Later on, I saw a correspondence in the *Star*, signed "Pointe Claire," the writer stating that he never heard anything of this Pointe Claire meeting where the contract had been ratified. Afterwards, the *Patrie* again came to the charge and challenged me to meet the Liberals of Jacques Cartier at Pointe Claire, and there to ascertain if they were really in favor of the contract. I have received some unsolicited communications from my electors, and have communicated with others, and I may say that these communications did not come from my political friends, but from those who strongly opposed me in former elections, and who were strong supporters of the ex-Minister of Justice. I beg leave to read those letters, for they will show that the statement I made in this House was correct—and I am very careful to make no statements which I do not know to be correct. The first letter is from E. C. Monk, a law partner of the late Minister of Justice. I met him in the city of Montreal, and he informed me that he had been requested by the Liberals of Jacques Cartier to meet me at these meetings. I wrote him a note from Ottawa asking him to state in writing what he said to me in Montreal, and asked him for permission to use his letter. The answer shows that the Liberals of Montreal knew of these meetings, and requested a Liberal of Mr. Monk's talent and eminence to meet me, and he refused to do so:

"128 ST. JAMES STREET,  
"MONTREAL, Feb. 17th, 1881.

"MY DEAR MR. GIROUARD,—I have this moment received your note of the 1st inst., and perceive that in our hurried conversation on the street the other day you must have misunderstood me, but only in a slight degree.

"The 'prominent Liberal' was a 'St. Annes' and not a Montreal patriot, and my reason (given in writing) for not joining issues with you upon the Pacific contract, was that I understood your visit to St. Annes, and the meeting proposed, to be one at which I considered my presence, and particularly my interference, utterly uncalled for.

"E. MONK."

Here is another letter signed by Mr. Andrew J. Dawes, a member of the well known firm of Dawes & Co., Lachine, who has always opposed me in former elections. This is his statement:

"LACHINE, 6th February, 1881.

"DEAR SIR,—I have read your speech on the Pacific Railway with pleasure. I being a Liberal, and a strong supporter of the late Minister of Justice, you may be astonished if I tell you that I fully concur in your views and the policy of the Government you are supporting. I expected that the Opposition would take a more patriotic course. The large number of amendments proposed by them has convinced me that they intended only to embarrass the Ministerial side of the House. The contract had to be accepted as a compact. In my estimation the Opposition was not only wrong, but rendered itself ridiculous in the eyes of the public, and I have no hesitation in saying that in future you may rely upon my support.

"Yours truly,  
"A. J. DAWES."

Here is another letter which will show exactly the policy of this Government.

Mr. SPEAKER. This matter seems not to be connected with the subject before the House.

Mr. GIROUARD. We are moving the House into a Committee of Supply.

Mr. SPEAKER. Very well, you may go on.

Mr. GIROUARD. I supposed that when we were discussing a motion to go into supply it was open to any member to allude to other matters, particularly if they were not altogether unconnected with the main question. The letters I am about to read contain an approval of the policy of the Government, and one of the principal features of that policy is the policy of Protection. One of these letters is from Lachine. I did not ask for testimonials from those parishes where the Conservative party is in a majority, such as St. Laurent and Isle Bizard. I have gone to Lachine where, in 1876, the ex-Minister of Justice had a majority over myself of 180 votes, and to Pointe Claire where at the last election, I had only fifty-three votes out of 350,

Mr. FLEMING.

and Ste. Geneviève, where the Liberal party is also in a majority. This letter is signed by J. B. O. Martin, mayor of the Parish of Lachine and a prominent Liberal:

"LACHINE, le 5 février 1881.

"CHEZ MONSIEUR.—Vous me demandez de vous dire ce qui s'est passé à Lachine, lorsque vous êtes venu expliquer à la porte de l'église, le contrat du gouvernement pour la construction du chemin de fer du Pacifique. En réponse, bien que libéral, je dois à la vérité de dire que vous nous avez expliqué le contrat et les principales clauses qu'il renferme, et après nous avoir déclaré que vous étiez d'avis de l'approuver, vous nous avez invités à faire nos objections, ce que quelques uns d'entre nous avons fait, entr'autres moi-même, comme maire de la paroisse. Vous nous avez donné des explications qui ont été jugées satisfaisantes, et tout le monde, libéral comme conservateur, s'est déclaré content, et vous a remercié et applaudi.

"Vous pouvez publier cette lettre.

"J'ai l'honneur d'être,

"Votre obéissant serviteur,

"J. B. O. MARTIN.

"D. GIROUARD, ECR., M. P.

"Ottawa."

The next letter is from Dr. Pillot, of Ste. Geneviève, also a Liberal:

"STE. GENEVIÈVE, le 7 février, 1881.

"D. Girouard, Ecr., M. P.

MONSIEUR LE DÉPUTÉ.—Je ne puis tarder plus longtemps à vous faire connaître quelle a été ma surprise de voir dans ces derniers jours certains journaux se commettre aussi gravement contre la vérité à votre sujet. Ce sont des avancés gratuits et mensongers au dernier point, que ceux de la *Patrie* et du *Star*. Comme un de vos commentants, je crois de mon devoir de protester contre cette conduite à l'égard de mon député et de réclamer de l'exactitude des faits. Le journal la *Patrie*, a prétendu que lors des fêtes de Noël et du jour de l'An, vous êtes venu par le comté rencontrer vos électeurs, sans avoir prévenu vos adversaires pour éviter la discussion. La chose est d'autant plus fautive, que tout le monde à Ste. Geneviève, savait huit jours avant quand vous seriez ici et vous êtes venu au jour dit. Il me semble que jamais avis ne pourrait être plus clairement donné. Aussi il y avait foule pour vous entendre et vous avez été écouté avec silence et intérêt, je pourrais dire avec des marques non équivoques d'approbation par toutes les personnes présentes, libéraux comme conservateurs, puisque, après avoir longuement et sagement discuté la grande question du contrat du Pacifique, vous avez demandé si quelqu'un n'aurait pas quelques remarques, suggestions ou blâmes à faire, que vous étiez prêt à y faire droit, et pas une voix ne s'est élevée si ce n'est pour approuver. Par ces faits, vous pouvez donc constater que le *Star* aussi lui a déraillé et a parlé en toute ignorance de cause. Ce que vous avez dit dans votre discours sur le contrat au sujet de votre visite ici, vous étiez vrai en le disant, M. le député, et bien qu'il soit avéré que j'aie toujours accordé mes sympathies au parti libéral, je dois à la vérité de déclarer que vous avez agi ouvertement et loyalement. J'ajouterais que, si le régime protectionniste que votre gouvernement nous a donné, m'a fait réfléchir pour le bien de mes concitoyens, cette grande entreprise du Pacifique que vous venez de décider pour l'honneur de nos engagements et le développement de notre pays, si bien exposée par vous, me donne fortement à croire qu'il y a vraiment du patriotisme dans la politique que vous apportez.

"Il vous est loisible, M. le député, d'user de cette lettre si cela vous convient, et croyez moi,

"Votre, etc., etc.

"ANTOINE B. PILLET, M. D.

"J'oubliais de dire qu'il y a à Ste. Geneviève plusieurs personnes en état de parler en public et en particulier—un jeune libéral bien renseigné et pouvant fort bien faire la discussion,—et ils étaient présents.

"A. B. P."

The last letter I have to read is from the Mayor of Pointe Claire, a Liberal of forty years standing, and the Mayor of his parish for about twenty-five years. He says:

"POINTE-CLAIRE, 6 février 1881.

"CHEZ MONSIEUR.—Vous m'écrivez qu'un correspondant du *Star* insinue que vous n'avez pas parlé du Pacifique lorsque vous êtes venu à la Pointe-Claire le jour de l'An, et que cette assemblée doit plutôt être considérée comme un échange de bons souhaits du nouvel an qu'une expression d'opinion au sujet du Pacifique, et vous me demandez comme maire de cette paroisse, présent à cette assemblée, de vous écrire en quelques mots ce qui s'est passé en cette circonstance, avec permission de vous servir de ma lettre comme vous l'entendrez.

"Je ne puis concevoir qu'un résident de la Pointe-Claire, présent ou non, nie le fait que vous soyez venu à la Pointe-Claire, après la messe du jour de l'An à la porte de l'église, expliquer à tout le monde le contrat du Pacifique. Vous nous avez dit combien le gouvernement donnait et vous nous avez aussi fait mention de certaines clauses auxquelles l'opposition faisait objection et que l'on est convenu d'appeler les clauses créant plusieurs monopoles et privilèges en faveur du syndicat. Vous nous avez aussi dit que bien que vous n'aimiez pas certaines conditions du contrat, que cependant vous étiez d'opinion qu'il valait mieux l'accepter que de laisser l'entreprise entre les mains du gouvernement, et que pour cette raison, vous vous proposiez de voter pour le contrat.

"En terminant vous nous avez invités à faire nos objections, si nous en avions nous promettant de les prendre en considération. Non-seulement personne n'a objecté, mais immédiatement vous avez été vivement applaudi, et en vous retirant du perron de l'église, il y a eu tapement des mains, levée de chapeaux, enfin expression non équivoque de sympathie et d'approbation de votre conduite parlementaire.

"Votre obéissant serviteur,

"LÉON DESLAURIERS.

"A. D. GIROUARD, ECR., M. P.  
"Ottawa."

I think, after this testimony, I need care very little for the challenge of *La Patrie*.

Mr. ARKELL. I was always under the impression that the duty of an Opposition was to watch closely the actions of the Government, to oppose all bad legislation that might be brought forward by the Government. But this Opposition appears to oppose everything, whether good or bad. For several years previous to 1878, the people of this country were decidedly in favor of a change in our fiscal policy, which they regarded as absolutely necessary to the welfare of our agricultural and manufacturing industries. The people, by a large majority, on the 17th of September, 1878, returned a Government which promised to bring in the policy we have to-day. During the Session of 1879 six long weeks were occupied by the Opposition in opposing the Tariff brought down by the hon. Finance Minister. I thought they should have been satisfied with the opposition they displayed on that occasion, until the new policy had had a fair chance. But in the Session of 1880, four or five weeks were spent in the same fruitless opposition to the carrying out of this policy; and this Session we have the same experience. Everything that could be dragged into these debates has been utilized by the Opposition to poison the minds of the people against this Government and their policy. I think it must be patent to every man who has looked carefully into this subject, that the National Policy has worked admirably, and that a large majority of the farmers, manufacturers, and all classes of the people, are decidedly in its favor. During this debate the Opposition have tried to prove that the exodus from this country has been due to the National Policy. Previous to 1872, during the time of the depression, the farmers had very little money to invest, but since then they have been making money. I will not say that is all due to the National Policy; but I will say that if the Conservative Government that went out of office in 1873 had remained in power, the exodus from this country, instead of being to Dakota, Nebraska, and elsewhere in the United States, would have been to our own North-West Territory. It is most unreasonable to suppose that farmers will go into a territory 300 or 400 miles away from railway communication. Had we such communication in the North-West, people would have settled there instead of going to the western States. I think that a new era is now opening, and that in two years from this the people of this country and immigrants, instead of seeking homes in the western States, will settle in our North-West. The hon. member for North Norfolk said the other night that the farmers of the United States had not benefited by Protection. I would like that hon. gentleman to go across the line and make that statement on any public platform there. The majority of farmers would tell him he had better go home. The hon. member stated that Protection had ruined the price of goods throughout the country, and that the manufacturers had made millions of dollars on the advanced prices. It is only necessary for us to look to the United States—the most protected country in the world—to see the absurdity of his pretension. In no country can goods be bought cheaper than in the United States, and not only do the manufacturers there manufacture for the home market, but they send their goods to all parts of the world, even to Great Britain. This National Policy has only been

working for the last eighteen months. Give it a fair chance; it will require from three to five years to bring it to perfection. We do not hear people say they pay more for their goods than formerly. That cry is merely one got up by politicians for purposes of agitation. Hon. gentlemen opposite think that by keeping up this agitation, they will be enabled to come back to office at the next general elections. I can only say that the people are not prepared to place the National Policy in the care of the tender mercies of hon. gentlemen opposite, who may make up their minds they will have to remain in Opposition another five, and probably twenty years, if the Conservative party will only carry on affairs in a proper way. It has been stated that farm implements have become enhanced in price under the new Tariff. The hon. member for North Middlesex (Mr. Coughlin), who is well acquainted with agricultural matters, tells me that the manufacturers of agricultural implements are selling more goods and cheaper than previous to 1878. The hon. member for Annapolis spoke the other day of economy and of reducing our indemnity. I believe that hon. members would be in favor of reducing their indemnity, if we could shorten the Session. I believe the business of the country could be done as well in two as in four months. It is not pleasant for hon. gentlemen on the back benches to have to listen to long speeches, delivered particularly on the other side of the House, and some even on this side. I am told, that in the British House of Commons the speeches seldom exceed thirty minutes in length. If that example were followed here we could get through our business in half the time, and it would be done as well as at present. The country has been flooded with political literature. About a cart load of that material is on hand, about to be sent out now; and I was informed that about half a million of the speeches of the hon. leader of the Opposition were sent out into every county of the Dominion. I can assure hon. gentlemen that one-half of these speeches will never be read. People in the country do not lose their time reading long speeches; they will read a speech of ten or fifteen minutes duration, but not one that takes a day and night to wade through. If their speeches were shorter, hon. gentlemen would stand a better chance of having them read. If the Opposition acted in the true interests of the country, they would allow this National Policy to have two years' trial; and if it does not work well they will then have a good case to go to the country with. The Conservatives are prepared to take the responsibility of that policy; they are satisfied they have a good cure, and are prepared to defend the National Policy, and the great land monopoly in the North-West. If the Syndicate carry out their agreement, by two years hence hundreds of thousands of people will be settled in our North-West, and the people will, with one accord, unite in supporting the policy of this Administration.

House resolved itself into Committee of Ways and Means.

(In the Committee.)

Sir LEONARD TILLEY. I desire to explain, for the information of the Committee, that the copy of the resolutions I now submit have been altered somewhat from those laid on the Table a few days ago. The following is the amended resolution:—

*Resolved*.—That it is expedient to amend the Acts 42 Victoria, Chapter 15, and 43 Victoria, Chapter 18, intituled "Acts to alter the duties of Customs and Excise," and the Schedules of dutiable and free goods thereto attached, by the following additions thereto, and alterations therein:

In the Act 42 Victoria, Chapter 15, Section 4, after the word "duty" and before the word "be" in the twelfth line, insert the words, "or a specific and ad valorem duty," and after the word "duty" and before the word "and" in the thirteenth line, insert the words, "and shall be charged with the same rate of ad valorem duty as is levied and collected on the goods they contain."

Mr. ARKELL.

In Schedule A goods subject to duties:

- In the item "Agricultural Implements," after the word "implements" and before the word "not" insert the words, "including mower and reaper knives."
- Under the heading "Books" in the sixth item, after the word "Bills" insert the words, "and other printed matter not elsewhere specified."
- After the item "Cocoa Nuts" insert the item, "Cocoa nuts, when imported from the place of growth by vessel direct to a Canadian port, fifty cents per hundred."
- In the item "Cordage, all other," after the word "other" insert the words, "including Manila marine, when not imported for ships purposes."
- Under the heading "Cotton, manufactures of," in the second item, strike out the word "Jeans" and after said second item, insert the following item: "White or Dyed Cotton Jeans, Contilles, Cumbrics, Slicias, Casbans and printed Galicoes, twenty per cent. ad valorem," and add the following item: "Cottons over thirty-six inches wide, when imported by manufacturers of window shades for use in their factories, exclusively for the manufacture of oiled window shades, fifteen per cent. ad valorem."
- Under the heading "Glass and manufactures of," in the first item, after the word "pressed" insert the words "or moulded," and before the word "Jars" strike out the words "and fruit," and in the second item, after the word "Chimneys" insert the words, "side lights and head lights."
- Under the heading "Iron and manufactures of," in the thirteenth item, after the word "Axles" insert the words, "of iron or steel." Strike out the fourteenth item and substitute the following in lieu thereof: "Rolled beams, chunnels, and angle and iron, steel or iron and steel, twelve and one-half per cent. ad valorem."
- In the item "Wrought Iron Tubing," after the word "Manufactured" insert the words, "over two inches in diameter," and after the words "per cent" add the words, "two inches in diameter, or under, coupled and threaded or not, twenty-five per cent. ad valorem."
- In the twenty-fourth item, after the word "rivets," insert the words, "of iron or steel."
- In the thirtieth item, after the word "over," strike out the word "half," and insert the words, "nine-sixteenths of."
- In the thirty-fourth item, after the word "nuts," insert the words, "of iron or steel."
- Strike out the item concerning "Lead, old and scrap," &c., and substitute the following in lieu thereof: "Lead, old, scrap and pig, forty cents per one hundred pounds. Burs, blocks and sheets, sixty cents per one hundred pounds."
- Under the heading "Leather," strike out the third item concerning "Sole and belting leather," and substitute the following in lieu thereof: "Sole and belting leather, and all upper leather, including kid, lamb, sheep, buck, antelope and calf, tanned or dressed, but not waxed or glazed, fifteen per cent. ad valorem."
- In the fourth item "Leather as above," after the word "waxed," insert the words, "or glazed."
- In the item "Liquorice root and Paste extract," after the word "root" strike out the word "and."
- Under the heading "Marble," in the fourth item respecting "finished marble," strike out the words "twenty-five," and insert the word "thirty."
- Strike out the items respecting "Oil cloth for floors," &c., in the Acts 42 Victoria, Chapter 15, and 43 Victoria, Chapter 18, and substitute the following in lieu thereof: "Oil cloth for floors, table covers, window blinds and scenery, in the piece, cut or shape, oiled, enamelled, stamped, painted or printed, thirty per cent. ad valorem."
- In the item concerning "Plaster of Paris or Gypsum, ground," after the word "ground" insert the words, "not calcined," and strike out the words, "twenty per cent. ad valorem," and insert the words, "ten cents per one hundred pounds."
- In the item concerning "Plated Ware," after the words "of all kinds," insert the words, "including cutlery, plated wholly or in part."
- In the item concerning "Printing Presses," strike out the word "fifteen" and insert the word "ten."
- Strike out the items in the Acts 42 Victoria, Chapter 15, and 43 Victoria, Chapter 18, concerning "Silk in the Gum," &c., and substitute the following in lieu thereof: "Silk in the gum or spun, not more advanced than singles, tram and thrown organized, not colored, fifteen per cent. ad valorem."
- In the item "Silver rolled and German Silver," after the word "German" insert the words, "and Nickel."
- Under the heading "Spirits and Strong Waters" in the fifth item, after the words "other denominations" insert the words, "including Medicinal Elixirs and Fluid-Extracts and Wine preparations, in bulk or bottle."
- In the item "Steel and manufactures of," strike out the figures "1882," and insert "1883."
- Under the heading "Wools and Woolens" strike out the word "Shawls" in the third line, and in the second item, concerning clothing, after the word "Caps" insert the words, "and horse clothing shaped."
- After the respective items concerning Canned Fruits, Tomatoes and Meats, paying specific duty, insert the following: "The rate to include the duty on the cans, and the weight on which duty shall be payable, to include the weight of the cans."

The following items to be added to Schedule A of goods subject to duties:—

27. Acids, Sulphuric and Nitric, in a combined state, twenty per cent. ad valorem.
28. Breadstuffs, grain and flour and meal of all kinds, when damaged by water *in transitu*, twenty per cent. ad valorem upon the appraised value, such appraised value to be ascertained as provided by Sections 44, 45, and 46 of the Act 40-Victoria, Chapter 10, intitled "An Act to amend and consolidate the Acts respecting the Customs."
29. Britannia Metal, in pigs and bars, ten per cent. ad valorem; manufactures of, not plated, twenty-five per cent. ad valorem.
30. Clothing of any material, including horse clothing shaped, not otherwise provided for, thirty per cent. ad valorem.
31. German and Nickel Silver, manufactures of, not plated, twenty-five per cent. ad valorem.
32. Gun, Rifle and Pistol Cartridges and Cartridge cases, of all kinds and materials, thirty per cent. ad valorem.
33. Laces, braids, fringes and other trimmings, twenty per cent. ad valorem.
34. Musical instruments of all kinds, not otherwise provided for, twenty-five per cent. ad valorem.
35. Oils, Lubricating, of all kinds, twenty-five per cent. ad valorem.
36. Paints, White Lead in pulp, not mixed with oil, five per cent. ad valorem.
37. Ribbons of all kinds and materials, thirty per cent. ad valorem.
38. Screws of iron, steel, brass or other metal, not otherwise provided for, thirty per cent. ad valorem.
39. Shawls of all kinds and materials, *except silk*, twenty-five per cent. ad valorem.
40. Slates, Roofing Slate, black or blue, eighty cents per square; red, green and other colours, one dollar per square.
41. Telephones, Telegraphic Instruments, Electric and Galvanic Batteries, and Apparatus for Electric Lights, twenty-five per cent. ad valorem.
42. Umbrellas, Parasols and Sunshades of all kinds and materials, twenty-five per cent. ad valorem.
43. Velvetens and Cotton Velvets, twenty per cent. ad valorem.
44. Wincies, plain, of all widths, when material is not over one-fourth wool, twenty per cent. ad valorem. Checked, striped or fancy, not over twenty-five inches wide, twenty per cent. ad valorem. Checked, striped or fancy dress wincies, over twenty-five inches wide, and not over thirty inches, when material is not more than one-fourth wool, two cents per square yard, and fifteen per cent. ad valorem; but all checked, striped or fancy Winceys over thirty inches wide, shall be subject to duty as Woolen goods, when the material is partly wool.
45. Cocoa Matting, twenty-five per cent. ad valorem.

Amendments on Schedule B of Free Goods:

1. In the item "Bones, Crude, &c.," after the word "Crude," strike out the word "and."
2. Strike out the item concerning "Colors," and substitute the following in lieu thereof: "*Colors, dry, viz., Blue Black, Blanc Fixe, Chinese Blue, Prussian Blue and Raw Umber. In Pulp, viz., Carmine, Cologne, Marjacca and Rose Lakes, Scarlet and Marone, Satin and fine-washed White, and Ultramarine Blue.*"
3. In the item concerning "Potash," after the word "Muriate," insert the words, "*and Bichromate.*"
4. In the item concerning "Steel in ingots, &c.," change the figures from "1882" to "1883."

The following items to be added to said Schedule B:—

1. Beans, Vanilla and Nux Vomica,
2. Belladonna Leaves.
3. Books, Educational, imported by and for the use of schools for the deaf and dumb exclusively.
4. Cinchona Bark.
5. Ergot.
6. Horn Strips, when to be used in making corsets.
7. Quercitron, or extract of Oak Bark.
8. Roots, Medicinal, *viz., Aconite, Calumba, Ipecacuanha, Sarsaparilla, Squilla, Taraxacum, Valerian.*
9. Trees, Forest, when imported into the Province of Manitoba, or the North-West Territory, for planting.
10. After the words "Cotton seed cake" add the words "and meal."

The following to be added to Schedule D of Prohibited Articles:—

Foreign reprints of British Copyright Works, Copyrighted in Canada and of Canadian Copyrighted Works.

The amendment of the item respecting wrought iron tubing, by the insertion of the words "two inches in diameter" after the words "per cent.," was simply to make the matter clear. Item 12, respecting lead, old and scrap, as amended, reads: "lead, old and scrap and pig, 40 cents per cwt.; bars, blocks and sheets, 60 cents per 100 lbs." It was proposed to omit the item concerning silk velvets and velvet. The reason for doing so was, that they were not previously aware that

silks and velvets were being manufactured in Canada pretty extensively; and it was desired to afford this industry encouragement. From item 34 were struck out the words "curtains and tassels." Item 39, imposing 25 per cent. on satins of all kinds was struck out, because velvets and satins are being manufactured in Ontario. No. 45—silk velvets, 25 per cent. *ad valorem*, was also struck out.

On item 44, wincies,

Sir LEONARD TILLEY said the amended item will read as follows: "Wincies when the material is not over one-fourth wool, of all widths, 20 per cent. *ad valorem*; checked, striped or fancy, not over 25 inches wide, 20 per cent. *ad valorem*; checked, striped or fancy dress wincies, over 25 inches wide and not over 30 inches, when the material is not over one-fourth wool, two cents per square yard and 15 per cent. *ad valorem*. Then all checks, striped and fancy wincies, over 30 inches wide, shall be subjected to duty as woollen goods when the material is partly wool." Then we propose adding to No. 45, "cocoa-nut matting, 25 per cent. *ad valorem*." These are the changes proposed in the resolutions as printed and laid on the Table.

Mr. ANGLIN. Will the hon. Finance Minister be good enough to explain why he varies the duty on those textile fabrics according to the width? I think it will prove a source of great trouble and annoyance to importers to have on one width one duty and on another a different duty.

Sir LEONARD TILLEY. This is the reason: the narrow width is for dress goods for ladies, and is not manufactured in the Dominion, but imported; and therefore no difficulty will arise in adopting this principle for that class of goods. When you come to wider articles, containing a certain portion of wool, they are sometimes called wincies, and sometimes tweeds, and various other names; and it is to simplify matters by taking everything under that width that the change is proposed.

On item 1, agricultural implements,

Sir RICHARD J. CARTWRIGHT said it would be convenient if the hon. gentleman would give a brief explanation of the causes that induced him to propose those alterations:

Sir LEONARD TILLEY. It has been a rule of the department under the present law, to classify these articles with agricultural implements. But still, different opinions have arisen on the subject with different collectors of customs, and it is in order to prevent any future difficulty that we propose to state distinctly in the Act, that mower and reaper knives are agricultural implements, and subject to the same rule.

On item 2, books, &c.,

Mr. BOWELL said: This is to cover a class of printing not now covered by the Act. Certain sheets, for instance almanacs, come into the country in sheets printed in many cases on a first-class quality of calendared paper, which when plain is 22½ per cent., but, if printed upon, in the shape of an almanac, not containing any advertisements or notices of any business, it can only be ruled as among the 20 per cents. The object is to cover that class of printed matter which comes into the country largely, particularly in the beginning of the year.

Sir RICHARD J. CARTWRIGHT. You are practically raising the duty from 20 to 30 per cent.

Mr. BOWELL. No; the intention was, as I have said, to cover all that kind of work which has come in very largely the last year or two. Speaking particularly of almanacs, I have never seen one coming into the country before without a certain number of advertisements. If they had advertisements they would be treated under the law as advertising sheets and charged either at 30 per cent., or one cent each;

but when we came to discuss the matter, we found they did not come under any particular class, hence in order to have uniformity we put them at 30 per cent.

On item 3, cocoa-nuts,

Sir LEONARD TILLEY said: Some of my hon. friends have smiled at the idea of reducing the duty on cocoa-nuts, and I think the hon. member for Gloucester (Mr. Anglin) said it would not be a very important matter, so far as encouraging a direct trade was concerned. I can assure him, however, that it was considered of sufficient importance to induce a member of the Government of Jamaica to visit Ottawa for the purpose of endeavoring to have the duty reduced as a means of cultivating direct trade. There is a steamer there owned by the Cunards, and engaged in this trade, though it receives no subsidy, and they were anxious to encourage the direct trade as far as possible.

Sir ALBERT J. SMITH. Was there any other business for it than that?

Sir LEONARD TILLEY. Fortunately under this Tariff we have a large direct importation of sugar from the West Indies, and this reduction is made to afford further encouragement for a direct trade.

Mr. ANGLIN. We have heard of several strokes of financial genius, but surely this reduction of the duty on cocoa-nuts is the greatest of them all. It also seems that other Governments than our own go on extraordinary missions to other countries. Twice a Commissioner came all the way from Jamaica to have the duty reduced on cocoa-nuts. I would suggest an explanation of the principle upon which the Government charge a higher rate of duty upon sugar imported by way of the United States than upon that which is imported directly. Last year the quantity of Canadian shipping employed in the foreign trade of Canada was small indeed compared with the quantity of British and foreign shipping engaged in the same trade. If we are to have a protective Tariff in Canada, why not let all our industries have the benefit of it? Why not admit all classes of goods brought into the country in Canadian bottoms at lower rates than those in foreign bottoms, and so encourage this waning industry? The Minister of Finance tries to account for the falling off in our shipping by saying that, in 1878, there was an extraordinary pressure on the shipowners of the Lower Provinces, which compelled them to sell their vessels owing to the trade being small and unprofitable, and that, therefore, liens had been exacted upon them by parties in Great Britain to cover advances which had been made to the owners of these vessels. I think that will be regarded in the Maritime Provinces as a very extraordinary reason for the decline in the shipping trade. I think there are few vessels professedly owned in the Lower Provinces on which the capitalists of Great Britain have any mortgage whatever. Therefore, I believe it was simply impossible that a sale could have been forced by any such process as that. But, as has been pointed out by the hon. member for St. John (Mr. Burpee), the sale in that year was not merely large, but the sales in preceding years were much larger than in that year, and the extraordinary feature of the case is that the sales in these later years had been so very small. Another fact is that the amount of tonnage owned by shipowners, instead of being larger a few years ago, is smaller and is becoming smaller. Now, why not carry out this protective policy in the interest of shipowners? Why confine it to cocoa-nuts? Is the shipping interest of this country, one of the greatest interests we have, to be satisfied by the fact that we have cocoa-nuts brought into Canadian ports at one half the rate of duty charged upon those brought into other ports by other means? I think a cocoa-nut policy is simply an exemplification of the inconsistency of the Government, and

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their inability to comprehend the true nature of the policy which they are attempting to carry out in this country.

Mr. DOMVILLE. I do not think my hon. friend's statement should be allowed to go unchallenged, because it comes from one who passes as the leader of the representatives from New Brunswick, and in whom is centred all the abilities which the other members lack. I am afraid my hon. friend has not thoroughly considered this subject before giving his views to this House. He has talked about cocoa-nuts. I took down the expression, and I find he has mentioned cocoa-nuts eleven times. If his desire was to impress us of the importance of this cocoa-nut question, and to get his views into the *Hansard*, I think he has succeeded. I am pleased to see anything coming that increases our trade. If we tax things on this side of the House fault is found with us; if we take the duty off fault is found. What can be done that will satisfy the hon. member? A friend near me says he will be satisfied if I should explain to him how the milk gets into the cocoa-nut, but as that has never been explained I shall not attempt to do it. He says the shipping interest has suffered from the decline of the West India trade. That trade has nothing to do with the shipping interest. The West India trade has increased. He refers to a small class of vessels that had been used as coasters for carrying shooks to the West Indies. That trade grew up suddenly and ceased suddenly. The vessels became worn out and not adapted to the West India trade. They had fulfilled the mission for which they were constructed. That has nothing to do with the West India trade. If a vessel goes to South America with a general cargo of merchandize from Great Britain to Rio Janeiro or Peru, when she comes back if, in seeking for freight, she runs up the West India Islands, such as Barbadoes, St. Vincent, St. Kitts, or Nevis, does my hon. friend mean to say that any legislation of ours will prevent her from taking such freights as are offered there to the competitors of the world? After these vessels have discharged their cargoes they offer themselves in the market to bring back a return cargo to any part of the world. Suppose the vessels come from France or Spain; the captain takes up the prices current, and says: "If I take a cargo of molasses for instance to St. John or Halifax, and then can take a cargo from that port to France, that brings me back to the point from which I started." It is a calculation of freight rates. Is there any scheme of the Minister of Finance that can control the rates of freight in those foreign markets? My hon. friend must know that it is not so. You never will be able to control the price of freights. You cannot have all the stuff that is brought into this country carried by our own ships. My hon. friend knows that, but he is endeavoring, with others, to make trouble among our ship building interest. He knows we have a large shipping interest in New Brunswick. Only the other night I got a complaint from New Brunswick "another gross injustice, 20 per cent. put on cordage." This news had been sent down to the people, and before they could be undeceived they believed that the Finance Minister had increased the duty on marlin to 20 per cent., when it was only ten per cent. before. That is entirely incorrect. It is still ten per cent. I think my hon. friend would be doing more for the interest of New Brunswick if he would not decry the action of gentlemen on this side, if he would allow them to bring in measures that are good. I tell him sincerely that if he would give credit where credit is due, he would strengthen himself very much in the Province of which he claims to be such a prominent representative. As regards the sale of tonnage, we all know that there were many unhappy circumstances which tended to make a large sale of tonnage in the Lower Provinces. It was not due to the Tariff, but to other unfortunate circumstances, among them the fire in St. John which crippled some firms, who had to release their tonnage.

It had to be sold, and the ship-building industry did not suffer from the Tariff at all. I am prepared to say, and it has been substantiated, that the tax upon shipping materials imposed by the Tariff is fully compensated for by the drawback that is given them.

**Mr. ANGLIN.** The hon. gentleman has chosen to reply to a speech which he imagined I would make, or intended to make, not, however, to remarks that I did make. I said nothing whatever in regard to coasting vessels employed in the West India trade having been thrown out of employment; nothing about the trade between the West Indies and the Lower Provinces having been reduced. I said nothing whatever about the fact that our trade in shooks has become a small trade, if it exists at all. What I did say was—that whereas an attempt was made to protect other industries, to enable persons whose capital was invested in Halifax to make larger profits than they would otherwise be able to make—nothing was done in that respect for the very important shipping industry.

**Mr. DOMVILLE.** How does the hon. gentleman propose to protect the shipping industry?

**Mr. ANGLIN.** There is nothing new at all in the proposal. We had navigation laws for a long time in existence. They were contemporaneous with the protective system in Great Britain, and were only abolished when the people of Great Britain began to perceive the folly and absurdity of that system. They are an essential portion of the protective system, and should be a portion of that system—if it is a good one—in a country such as this, where there is so large an ocean frontier, where so many people are engaged in maritime pursuits, and where we have already attained the third or fourth position among the maritime nations of the world. If Protection is of any use it should be carried out as a whole and applied to the maritime industry; otherwise, it is lame and incomplete. It is possible, by a system of laws, such as the old navigation laws, to enable our own vessels to do all our own trade, and to earn very much larger profits than they are now able to earn.

**Sir LEONARD TILLEY.** I am certainly becoming very much encouraged with the success of this policy. It must have been observed, by gentlemen on this side of the House especially, that there is a modified sentiment on the other side of the House this Session, on this question of Protection. My hon. friend from Norfolk (Mr. Charlton) began to hedge the other day, when he intimated that when 1883 arrived, it was just possible that there might be a sufficient number of vested rights established to warrant the new Government not to interfere with them; and the hon. member for Gloucester (Mr. Anglin) has not spoken as strongly on the Tariff as he did last year. He has not spoken on the subject at all, until now, and his speech is a marked improvement on his speech of a year ago. Now he is the champion of Protection; his only complaint is, that we are not going far enough, and applying the policy to the whole shipping interest. He must believe the policy to be beneficial, otherwise he would not urge its extension on the House. It is said in business that small favors are thankfully received; but my hon. friend is not satisfied with the small favor, though he seems to be coming around to our side. While we have granted a small favor to the shipping interest of the Maritime Provinces, it is certain that as the sugar trade extends, the vessels owned by the people of those Provinces will have increased freights both to and from the West Indies. It may be that the shippers of lumber or fish do not derive all the advantages that they might, and, therefore, we are going step by step in the development of this policy, and I rejoice that, instead of my hon. friend rising, as he did last Session, and attacking the policy from beginning to end, he has now come so far over to our views as to complain that we have not extended it as far as we ought, or as far as

we hope to do. I did not state the whole case. For instance, the manufacture of confectionery, to which my hon. friend from South Brant (Mr. Paterson) referred the other night, is an important industry which has been pressing itself upon the attention of the Government. Cocoa-nuts enter largely into the manufacture of confectionery, and, therefore, in reducing the duty upon them, we are not only encouraging the trade with the West Indies, but assisting that particular industry. Therefore, I am gratified beyond measure that my hon. friend, instead of sitting there and saying nothing, has pronounced in favor of this policy by complaining that we are not going far enough. If he will allow us a little time we shall go on perfecting it, and, perhaps, we shall eventually reach the point which he desires us to reach.

**Mr. BLAKE.** After what has been said, I hope it will be clearly understood that such arrangements will be made for freights from Halifax to the West, that we may get our lollipops cheaper in Ontario, and that the freight from Halifax will not deprive us of the advantage of this half a cent reduction of duty.

**Mr. ANGLIN.** If I did not speak on this question, it was because I left my seat for a minute or two, and the motion was in the meantime carried. I have not altered my views as to the essential falseness of the policy of Protection, and the consequences it must entail on the country. But I have pointed out that while the Finance Minister and his colleagues have not hesitated to impose taxes on the clothing and fuel of the poor classes of this country, they deal very tenderly indeed with the shipping industry of the country, and make very faint attempts to do anything to give employment to our own vessels. The hon. gentleman has, it is true, provided that vessels coming direct from the West Indies to our own ports shall be admitted at a somewhat reduced rate of duty, but he has not gone further, and provided that sugar should be brought in British bottoms—and I believe a great deal of the sugar brought in has been brought in foreign bottoms. In 1878, although there was a comparatively large sale of tonnage, owing to the depression of the shipowners, we built in Canada 106,976 tons of vessels of various classes, a small amount as compared with previous years, but a large amount as compared with 1880, when the tonnage built was 68,765 tons, or 38,221 less than the tonnage of 1878. If we look at the importation we will find that in the year 1878, 770 British vessels, representing 798,476 tons, and foreign vessels, representing 587,000 tons came into our ports. These vessels did the largest share of our foreign trade. It is quite within the power of this Legislature to alter that matter very materially by giving to Canadian vessels a very large proportion of our trade. If their policy is to be fully and impartially carried out, it ought not to be confined merely to give certain manufacturers a monopoly of the Canadian trade, but should be extended so as to benefit our shipowners as well. That would be rendering their policy in a certain sense more just, or rather less unjust, because it is impossible to render any policy of Protection just and fair. If it is to be advantageous to one class, it must be unfair to the great majority of the people.

**Mr. DOMVILLE.** Does the hon. gentleman propose that none of the sugar that comes into the country shall come in foreign bottoms? Does he advocate that all our imports must come in Canadian bottoms?

**Mr. ANGLIN.** I want the system of Protection, if carried out, so carried out that all goods imported into this country in Canadian bottoms should be admitted at a lower rate than those imported in British or foreign vessels. Some such provision should also be made in regard to the exportation of our lumber and agricultural products and

other goods, so as to encourage the exportation in Canadian vessels. I do not say that ought to be done, but it should be done if the protective system is to be fully and fairly carried out. If other industries are to be protected, it is only just our shipping interest should receive the benefit of our system.

Mr. DOMVILLE. My hon. friend started with advocating a certain line of protection with regard to shipping. I was surprised to hear him argue that nothing was to be imported except in Canadian bottoms. When I asked him if that was what the country should understand, he replied no, he did not advocate that at all, but it might as well be advocated. What are we to understand the hon. member has been advocating? He would have led the people of New Brunswick to believe he was advocating that imports should only come in in our vessels, and then he says he does not advocate that at all.

Sir RICHARD J. CARTWRIGHT. The difficulty does not lie in the argument of the hon. member for Gloucester, but in the minds of hon. gentlemen opposite, whom it is difficult to make comprehend the simplest argument. I admit the seriousness of the difficulty. It is extremely difficult to make those hon. gentlemen understand the logical result of their own policy and theories. I have been trying to do so for a long time and have not succeeded. It is in the nature of the case. No protective system has yet been invented which could do justice to all. The hon. member for Gloucester has given an elaborate illustration of the extreme difficulty—I may add the impossibility—of doing justice to that industry, on the prosperity of which the inhabitants of the Maritime Provinces so largely depend.

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

#### AFTER RECESS.

#### THIRD READINGS.

The following Bills were severally read the third time and passed:—

Bill (No. 7) to incorporate "The Wrecking and Salvage Company of Canada.—(Mr. Gault.)

Bill (No. 34) to incorporate the Dominion Salvage and Wrecking Company (Limited).—(Mr. Girouard, Jacques Cartier.)

Bill (No. 15) to incorporate the Metropolitan Fire Insurance Company of Canada.—(Mr. Beaty.)

The following Bills were considered in Committee, reported, read the third time and passed:—

Bill (No. 54) to amend the Act of Incorporation of the Accident Insurance Company of Canada and to authorize the change of the name of the said Company to "The Accident Insurance Company of America."—(Mr. Gault.)

Bill (No. 35) to incorporate the Silver Plume Mining Company.—(Mr. Ouimet.)

Bill (No. 44) to incorporate the Association known as "J. Winslow, Jones & Co., Limited."—(Mr. Brooks.)

Bill (No. 48) respecting the Canada Consolidated Gold Mining Company.—(Mr. White, Hastings.)

Bill (No. 60) to incorporate the Don River Improvement.—(Mr. Platt.)

#### SECOND READINGS.

The following Bills were read the second time:—

Bill (No. 69) respecting "La Banque Ville-Marie," (from the Senate).—(Mr. Desjardins.)

Bill (No. 13) to incorporate the South-Eastern Railway Company.—(Mr. Schultz.)

Mr. ANGLIN.

#### WAYS AND MEANS.

House again in Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.

Mr. CHARLTON. I wish to correct a misapprehension that exists in the mind of the hon. the Finance Minister. That hon. gentleman, in referring to some remarks made by me yesterday, stated that evidently the Opposition were taking new ground. As an evidence of this, he said I showed a disposition to hedge upon the Protection policy, and proceeded to say that I had, in fact, stated that if the Liberal party came into power vested interests would receive due consideration, and that I doubted whether the duties would be reduced. Now, that conveys to the House and to the country an incorrect impression as to what I did say. The position I took was this: I stated that the Tariff that was supplanted by the one now in force did afford incidental protection to the manufacturing industries of this country, and was not a purely revenue Tariff. I stated that, in consequence of the heavy obligations that were being incurred by the Government, it would be impossible to reduce, to a very great extent, the rate of taxation; that we could not, under the circumstances, resort to Free-trade nor to a purely revenue Tariff, or one imposing duties only upon articles that are not, and cannot be, produced in the country. I stated that, if the Liberal party came into power, it would undoubtedly give fair consideration to all existing interests; but I stated most distinctly that, in all probability, and in the nature of things, the Liberal party would refuse to consider one interest at the expense of others, and would refuse to bestow undue protection upon an interest at the expense of other interests, or at the expense of the great mass of the people. I stated that, in all probability, we would consider ourselves fortunate if the maximum under the new Tariff was not as high as the previous Tariff of seventeen and a-half per cent. I gave it as my individual opinion, which binds nobody but myself, and implicates nobody but myself, that in all probability if the Liberal party came into power again, it might be found necessary to place the duties at twenty per cent. instead of seventeen and a-half. The Tariff, nevertheless, would be a revenue Tariff, affording incidental protection, as did the last Tariff. It would be a Tariff conceived in the interest of all classes, and the statement I made was that if the Liberal party came into power they would take into consideration the interests of all classes that had grown up, but that they could not in any case benefit one interest at the expense of others, and adopt unfair measures for the promotion of one interest at the expense of others. That is the position I took; and as it seems to have been misunderstood by my hon. friend the Finance Minister, I deem it proper to make this explanation.

On item 3, cocoa-nuts,

Mr. PATERSON (South Brant). The duty that is being placed upon this item, as explained by the Finance Minister, is with a view to benefit the direct trade and at the same time to benefit manufacturing industry. I wish to point out that while the Minister's design may be good, I doubt if the manufacturers will benefit by it. As far as the direct importation of sugar is concerned, an attempt was made by the Finance Minister to encourage it by granting a remission of duty on the casks coming by way of Halifax and Montreal, while the duty was levied on them coming from American ports. No doubt some sugar has come indirect, but I have the testimony of wholesale men that it is very unsatisfactory to the trade. A large wholesale dealer in my own city had ordered his sugar to come in that way in order to save the duty which the Tariff was designed to save for him; but he had not been able to bring in his sugar that way because nothing but sailing vessels coming to our ports—and they sail at very unfrequent inter-

vals—could bring the sugar. On account of delay he lost the whole season's supply, and he consequently countermanded his order and had it brought by steamship to an American port. He consequently had to pay the extra amount of duty on the casks, with extra difference in insurance between a steamship and a sailing vessel, while the delay in its arrival made it almost of no use to him. If that be true with reference to an important article of merchandize of which large shipments are made through our own ports, I would ask the Finance Minister if he may expect any very direct trade in an article as small in its consumption as the article of cocoa-nuts? I would say to him that as it is an article of manufacture, and a raw material at that, he would do no injury to his revenue and would do a little more benefit to the manufacturer, if, instead of making this discrimination of 50 per cent. in the duty, he would strike it out of the dutiable list altogether and place it in the free list.

Mr. DOULL. It is not often I agree with the hon. gentlemen on the other side of the House, but on the present occasion I agree thoroughly with the hon. member for Gloucester (Mr. Anglin) in his views with respect to the shipping industry. I think it is in no way protected. When I talk of the shipping industry I mean the ship-owning industry. The shipbuilding industry is certainly protected. The present duty places the shipbuilding industry on a more favorable footing than it was under the former Tariff. Our shipping industry suffers, not from the want of Protection by the Dominion Government, but in consequence of the restrictive laws of Great Britain, which place our ships at a disadvantage as compared with foreign ships. These restrictive laws do not apply to British ships as they do to colonial ships, because the ships of Great Britain consist chiefly of iron, while ours are chiefly wooden ships. As an illustration of the operation of these laws, I may state that they give to one-fourth of the crew of a vessel the privilege of lodging a complaint that the vessel is not seaworthy, and of having an inspection; and if that portion of the crew can point out a small decayed portion of the vessel, though it may not affect her seaworthiness, and it lead to her being opened, and the owner may be put to thousands of dollars of expense. The consequence is, that the owners of wooden vessels are forced to sell their vessels to foreigners before they are old, and frequently at one-third of their value, as the foreigners are not subject to these restrictive laws. This is the reason that foreign vessels are doing so large a portion of the carrying trade of this Dominion. The treaty arrangements of Great Britain with foreign countries, not only give foreigners the privilege of entering into the carrying trade between the Dominion and European ports, but into our coasting trade as well. They have thus an undue advantage over our own ships, and they are likely, ultimately, to drive them out of their own legitimate trade. I would, therefore, impress on the Government the importance of giving the necessary protection to the shipping industry, an industry on which the Lower Provinces depend, probably more than on any other, and one which is calculated to greatly advance the general interests of the Dominion. I would, therefore, urge the Government to take this matter into their serious consideration, and see if they can discover some means of relieving us from the unfair competition we have to contend against.

Sir LEONARD TILLEY. With reference to the suggestion that we should strike this item out, I may say that it will most likely benefit the line running between Halifax and the West Indies. As we give no subsidy to that line, it is considered desirable in this way to encourage it as well any as other line that may engage in the direct trade, and call at any port in the Dominion, whether Halifax, St. John or Montreal. But there is no reason why we should take the duty off altogether.

On item 4, cordage,

In reply to Mr. WELDON,

Sir LEONARD TILLEY said the object of this item is simply to define that marline, which has come in free under the designation of lines and twines, shall pay 10 per cent. when used for rigging, and 20 per cent. when used for other purposes.

Mr. WELDON. I understand, then, that if it is used in the fisheries it will have to pay the duty. It is but little used in ships, but principally in making up lobster cans and other purposes of the fisheries.

Sir LEONARD TILLEY. It is largely used in the rigging of vessels. A certain portion may be used in lobster cans. There has been a difficulty in the administration of the law, and it is for the purpose of settling that difficulty we bring in the amendment.

Mr. ANGLIN. The difficulty in the administration of the law can be settled quite as well by making it free. The hon. Minister does not now pretend to say he can do anything to protect the interests of those engaged in the factory business. The cordage is, I believe, used very largely in the preparation of lobster pots, which are now made in enormous numbers all over the gulf. Like the cocoa-nut, this is perhaps a very small matter, but though small, it may prove vexatious to a struggling industry—one in which the profits some years are fair, and other years small. As one representing a large number of fishermen, I claim that this cordage should be exempt from all duty or be charged at the lowest rate.

Mr. CURRIER. This article is, I presume, used to a larger extent by lumbermen than by the shipping or the lobster trade. I do not see why the lumber business is not as deserving of protection as any other, and I hope the hon. Finance Minister will do the lumbermen justice as well as others.

Sir LEONARD TILLEY. It has, as a general rule, been paying a duty in the inland ports of 20 per cent. for the purposes named. It is only because in some localities it has been entered as lines and twines for the fisheries, though a large portion went into use for ship purposes, that we are obliged to bring in this amendment. This amendment does not change the law in any respect.

Mr. WELDON. Let it all come in at ten per cent. or under the same category as the other lines and twines imported for the fishermen, and give the fishermen the benefit.

Sir LEONARD TILLEY. It is not used generally for the fisheries. When used for the fisheries it is used simply for the lobster pots, and though entered for lobster pots it is used for many other purposes for which it ought to pay duty.

Mr. BUNSTER. The hon. Finance Minister is mistaken when he says it is only used for lobster pots. In British Columbia it is very largely used in the salmon fisheries. We are laboring under this disadvantage in British Columbia, that the Americans do not acknowledge us in the treaty with Canada, as we were not in the Confederacy at the time it was made. Twines used in our fisheries should be free of duty. Last season we exported some 5,000 tons of fish. The probability is next season we will export some 10,000 tons or 50,000 tons; hence the desirability of the Government, in seeing that our fishermen are protected, and not impose a duty on nets used in catching fish, inasmuch as the Americans make us pay a duty on the tin that we use in canning our fish. The proposition is reasonable. I think I have established a case in the interest of our Province. This duty is injurious to the river interests of British Columbia.

Mr. OGDEN. The member for Vancouver is entirely mistaken, and does not understand the question. He says they use manilla marline in British Columbia to catch fish. I do not think there is another man in the House, who knows anything about fishing, who would substantiate that statement. We are not talking about twines, but about manilla marline which, in the fisheries is only used for making lobster pots, and that article is produced in this country abundantly, in Montreal, Quebec and elsewhere. In Dartmouth, Nova Scotia, the finest marline in the world is made. The hon. gentleman talks about something the fishermen in British Columbia do not use at all. I am surprised he made such a serious mistake. I suggest that he have his remarks left out of the *Hansard*, that the fishermen in British Columbia may not see that he is entirely ignorant of the manner in which their fishing business is carried on.

Mr. BUNSTER. I did not address my remarks to the hon. member for Guysborough, but to the Minister of Finance. I perfectly understand what I was talking about, and also know the wants of our fishermen as well as that hon. gentleman. I have been consistent in this House, and never gave a false or deceptive vote like the hon. member for Guysborough. Deny it if you can. I did not come here to receive his instructions. I speak here honestly and sincerely in the interest of our fishermen, appealing to the Government which I have supported through thick and thin, and when I consider there is an error, it is my duty to draw attention to it. I never voted in this House for the Temperance Law.

Mr. BLAKE. The hon. member ought to be called to account for the use of that language.

The CHAIRMAN. I call the member for Vancouver to order. You must address yourself to manilla cordage.

Mr. BUNSTER. Well, I say this duty of 20 per cent. is an infliction on our fishermen of which they should be relieved, and I hope the Minister of Finance will consider the point; I hope he will make an exception, at any rate, so far as British Columbia is concerned, if he does not intend to remove the duty from the whole Dominion.

Mr. CURRIER. I hope the Finance Minister, before passing this item, will consider whether it would not be fair and just to have but one scale of duties on this article, which, if it be what I think, is very largely used by the lumbermen. I think that as no protection is given them they should receive some protection in regard to this article. I hope the Finance Minister will consider the matter, to see if he cannot make the duty ten per cent. all round.

Sir LEONARD TILLEY. I am not aware this article is used extensively by lumbermen. The object of this proposition is to make clear the intention of the Government. We found in some cases it was admitted free under another head, and it is for the purpose of declaring distinctly what portion shall pay ten and what twenty per cent. that we make this proposition. It was not intended by the Act to admit it free.

Mr. BUNSTER. I have not heard from the Finance Minister what he intends to do so far as British Columbia is concerned.

Sir LEONARD TILLEY. We will take the matter into our serious consideration before the third reading.

Sir RICHARD J. CARTWRIGHT. Manilla marline ought to be admitted free when imported specially for the use of the fishermen.

Sir LEONARD TILLEY. Lines and twine are, but marline was not free, though in certain places it has been entered free as lines and twines.

Mr. BOWELL. The Finance Minister has explained that in certain ports of the Dominion, Montreal, Ottawa

Mr. BUNSTER.

and Toronto, this manilla cordage paid 20 per cent., while in some of the Lower Province ports it has been admitted at 10 per cent. under the clause of the Tariff which admits certain materials at that figure; and that in other places it has been admitted as lines and twines for the fishermen free. The intention of this amendment is simply to make the duty uniform throughout the Dominion. I do not think that the cordage here referred to is the manilla cordage or twine used for laths. This is a tight cordage, the same as other cordage, only made out of manilla.

Mr. FLYNN. I believe this class of line should be admitted free of duty, as it is largely used by the fishermen. If this resolution is adopted they will have to pay a duty on this kind of line, a large quantity of which is used for nets and other purposes. This question is an important one to the fishermen of the Maritime Provinces.

Mr. WELDON. I hold that the duty should be taken off cordage used on ships. The best cordage is made abroad, and there is no more important part of a vessel than its rigging. If all cordage for ships cannot be admitted free, let all manilla ropes be charged at the rate of 10 per cent.

Mr. DOMVILLE. We have a factory in St. John, where as good cordage is made as in England. The hon. gentleman has cast a slur on our factory; and, indeed, hon. members opposite are constantly casting a slur on our industries. His statement is an insult to the intelligence of the manufacturers of his own Province, and the people of St. John will not take his view. There are also cordage factories at Halifax, Montreal, Kingston and elsewhere, which are perfectly capable of manufacturing all we require. The shipowners are very well off. They are well protected now, get a good drawback, and the hon. member for Gloucester (Mr. Anglin) has done an injustice to the manufacturers of the Lower Provinces.

Mr. ANGLIN. After some conversation with gentlemen who are better acquainted with the working of the fisheries than myself, I find this is a matter of more importance to the fisheries than would be at first supposed. A very considerable quantity of this particular kind of cordage is used by them in the prosecution of the fisheries, for nets, buoys and other purposes. Without questioning the quality of the cordage made in the Dominion, or whether that made at Dartmouth is the best in the world, we know that wherever a duty of this kind is imposed the persons producing it charge not only the cost of production, but also as much as will bring the cost of the article very nearly up to the cost of the imported article, and therefore the additional percentage became a burden on those who used the article. If this clause be adopted 20 per cent. will be imposed on this class of lines, and of this the fishermen will have to pay 19 per cent. It may be said that the amount will be small and that they will not sensibly feel it, that they will get accustomed to high prices and will not know where they are hurt; but hurt they will be to that extent. The hon. member for Ottawa (Mr. Currier) appears to be satisfied with the explanation that this kind of cordage is not used for tying up laths and for mill purposes. If that is so the hon. gentleman is still compelled to take one horn of the dilemma. My particular interest is with respect to the fishermen, for the county I represent sends out a larger number of boats than any other county in New Brunswick, and almost as any county in the Maritime Provinces. They are hard working, industrious people, who are subjected to a great many hardships, and whose incomes derived from fishing are too small. They cannot afford to have further burthens placed upon them. They are already taxed heavily for their clothing and necessaries of life, and it is unreasonable to propose that the tax on the cordage used by them should be increased to 20 per cent.

**Mr. DOMVILLE.** Is the hon. member for Gloucester (Mr. Anglin) aware as to what the imports on that line of goods were into New Brunswick and Nova Scotia? When the hon. gentleman talks about the present proposal inflicting a great hardship on the fishermen, that it is going to ruin the fishing trade, and when he appeals to hon. Ministers to give justice—has he any idea as to the quantity of imports?

**Mr. ANGLIN.** I do not know that the hon. member has any right to question me in so impertinent a manner, or to take me to task. It is about time that we, the representatives of New Brunswick, began to resent the treatment of the hon. member. We have hitherto not cared to show any resentment, but the hon. gentleman may find that he goes a little too far occasionally. I do not know, nor do I think he knows, where I can find the information in the Trade and Navigation Returns. I have been assured by those acquainted with the business, that a considerable quantity of this article is used, and if a duty of twenty per cent. be imposed, it will be a considerable loss to our fishermen.

**Mr. DOMVILLE.** The hon. gentleman has no right to threaten me as to how I should be chastised by the other members from New Brunswick. I wish to tell him that I am not to be boycotted, and that I am perfectly willing and able to take care of myself inside of this House or out of it. If the hon. gentleman wants to find the information he asks I may tell him that the total imports of cordage for that purpose into New Brunswick was \$663.20.

**Sir RICHARD J. CARTWRIGHT.** For what purpose?

**Mr. DOMVILLE.** For all purposes.

**Sir RICHARD J. CARTWRIGHT.** Twines were admitted free.

**Mr. DOMVILLE.** I am now speaking of cordage which my hon. friend thinks it is unjust to tax. The total value of the imports into Nova Scotia was \$2,716, and in New Brunswick, \$3,316.

**Mr. MACDONALD (Queen's).** The hon. member for Gloucester wants to know why the article of cordage he referred to should not be allowed to come in free, as lines and twines do at the present time. The reason is that, in this country, we manufacture a very good article of manilla cordage, while we do not manufacture lines or twines. So that it is proper to give it some protection. The hon. gentleman also said that if 20 per cent. were imposed upon cordage, the fishermen would pay 19 per cent. of it. This might be the case if the whole manufacture was in the hands of one firm, but when there is a proper competition the matter will rectify itself. We can manufacture cordage as cheaply and as well as any other country. The hon. gentleman has also the fishermen under his charge as regards other matters, and he says their clothing is taxed to an enormous extent. It is true of clothing, as of other articles we are manufacturing, that year by year we are getting a better article at a lower price than we used to import, and I, for one, cannot see that our fishermen are paying an extra price for these articles.

**Sir RICHARD J. CARTWRIGHT.** If the hon. gentleman (Mr. Domville) who gets up to instruct us all about the Trade and Navigation Returns, knew of what he was talking, he would have known that lines and twines for the use of fishermen were imported free, and are not included in the column to which he referred. He, or nobody else, can tell us the quantity of manilla cordage.

**Mr. DOMVILLE.** I know perfectly well what I am talking about, but I regret that the hon. gentleman mixes manilla cordage with lines and twines. The proper heading in which to find it shows that some two thousand and some odd dollars worth was imported into Nova Scotia, and three

thousand dollars worth in New Brunswick, giving some \$500 or \$600 each.

**Sir RICHARD J. CARTWRIGHT.** The Finance Minister has just told us that it came in free.

**Mr. BOWELL.** At some ports.

**Mr. ANGLIN.** How many?

**Mr. BOWELL.** I cannot now tell you.

**Mr. ANGLIN.** That, at all events, was the common sense view which the collectors took of the matter, and I think it is a great mistake on the part of the Government to make a change. The argument which has been used by the hon. gentleman from Prince Edward Island (Mr. Macdonald) is the argument of a thorough-going Protectionist. He says that the fishermen now get their dry goods, clothing, &c., as cheaply as before; but we find from the Trade and Navigation Returns that, last year, there were imported of cassimeres, doeskins, tweeds, and articles of that kind, which constitute the great bulk of the clothing of the fishermen, \$2,177,209 worth, upon which was paid a duty of no less than 31 per cent.; and the hon. gentleman will have great difficulty in persuading the consumers that the manufacturers sold these goods at the cost of production, whatever he or other extreme Protectionists may believe. The very fact that these goods are imported to such an extent shows that the manufacturers are charging every cent they possibly can upon the goods they produce.

**Sir LEONARD TILLEY.** The hon. gentleman assumes that this article is used by the fishermen alone, but that is not the case. That article is largely used in the rigging of vessels, and persons have taken advantage of that fact to have it imported free when it was not intended for the purposes of the fisheries. Since the lobster fisheries have been developed the article has been used, to a certain extent, in that industry. This article has been found in some cases to have been imported for the fisheries, and it is also made in the country, and is sold cheaply at import prices. When we found that this industry was being deprived of what legitimately belonged to it, by being entered for a purpose for which it was not entitled to be free, then we considered it desirable that it should be so defined that it should pay the duty which was originally intended, that is 10 per cent., when used for ship purposes.

**Mr. WELDON.** The hon. Minister stated at the outset that it was only used for this purpose in a very small quantity. Then, why not put the duty at ten per cent.? The same principle is put forward in regard to lines and twines, in order to encourage the fishermen and their industry. This lobster business has developed to a large extent in the Maritime Provinces, and why should it not have the same advantage as the fishery industry? Something like \$10,675 is paid for cordage for ship purposes throughout the Dominion, of which Nova Scotia, New Brunswick and Prince Edward Island pay between \$8,000 and \$9,000. That tax is not put upon the shipowners, but upon men who run little coasting schooners and fishing boats, and who are generally poor men.

**Sir LEONARD TILLEY.** They get it at 10 per cent.

**Mr. OGDEN.** I understood the hon. member for Gloucester to say that manilla marline was largely used by the fishermen for setting nets. Such is not the case, manilla marline is a small cord about three-eighths of an inch in circumference, it is generally used for knitting what is known as lobster heads to put into traps. It is not used at all for any other kind of fishing. Although we have had the privilege of getting it under the provision given to the fishermen under the heads of lines and twines, and have been allowed to admit it free of duty, yet I do not know of one pound of manilla marline having been imported from the United States within the last three or

four years. The supply is ample in this country. The hon. member for Gloucester referred to the truthfulness of my statement that the best marline was made at Dartmouth. I do not wish to advertize the Dartmouth rope works, but I have used tons of this marline myself within the last two or three years, and I can vouch for its being of equal quality to that of American manufacture, and our fishermen prefer it. I can guarantee that there is not one pound of marline used in any other fishery, unless it be for making seal nets, which we do not go into very extensively in Nova Scotia.

Mr. FLYNN. The hon. member for Gloucester stated that this manilla marline was used for other purposes than lobster boxes. I endorse that statement. I represent a constituency that largely prosecutes that industry. I am aware of the kind of cordage they use, and I do not hesitate to say that, independently of lobster boxes, it is used in my county for various other purposes. It has been urged that if there is a better article made in the Dominion, then why put a duty on it if it is not imported? But we admit lines and twines free of duty for the purpose of encouraging the fishery industry; then why not admit cordage for the purpose of encouraging the lobster business?

Mr. ANGLIN. I do not question the veracity of the hon. member for Guysborough (Mr. Ogden). I am not at all competent to say whether his statement was perfectly correct or not. He tells us that he uses tons of this very manilla marline in the foreign fishing business. As other persons must also use large quantities of it, it would follow that hundreds of tons at least were used in the Lower Provinces.

On item 6, glass and manufactures of,

Sir LEONARD TILLEY. The object is to make moulded glass pay duty, as it formerly came in free, as not coming under the designation of pressed glass. "Or fruit" refers to jars which some persons import not as fruit jars, and it is intended to make them pay the duty. Side-lights and head-lights are made in the same factory as chimneys, and difficulties have arisen from their not being specified.

On item 7, iron and manufactures of,

Sir LEONARD TILLEY. The change made here is for the purpose of making axles, rivets and nuts pay the same duty, whether of iron or steel. Beams, channels and angles, parts of iron bridges, are reduced from 15 per cent. to 12½ per cent., as we have no machinery in the country to manufacture them, and they have to be imported.

Mr. DOMVILLE. I do not wish to detain the House now, but when we go into Concurrence I shall try and urge the Minister to do something for the pig-iron industries of this country. I see that our imports of iron and steel amount to \$10,000,000, and that over 59,000 tons of pig-iron are imported. Pig-iron can, and I think should, be made in this country.

On item 8, wrought iron tubing,

Sir LEONARD TILLEY said: Wrought iron at present is charged 17½ per cent. This particular article was not manufactured in the Dominion when the Tariff was first introduced, and the duty was fixed at 15 per cent. It is now about to be manufactured, and the duty is therefore proposed to be increased to 25 per cent. on all below two inches in diameter. The hon. member for South Brant (Mr. Paterson) said the other day, this would affect tubing used in the manufacture of boilers. The result of my enquiries is that the iron tubing used for boilers is two inches and upwards.

Mr. PATERSON (Brant). No doubt the hon. member has endeavored to get all the information he could. I will simply give him the information I received in reference to Mr. OGden.

this. I am told the tubing under two inches diameter does enter into the manufacture of boilers. Locomotive boiler tubes run down from 1½ inches to 1¼ inches; the tubes in our oil wells go under two inches, and almost all the tubes in farmers' boilers, steam pressures, &c., are under two inches, and are made out of lap-welded tubes which are not and never will be made in the Dominion, as the demand here will never be sufficient to warrant the erection of the expensive machinery required to make them. I am further informed that the Montreal Rolling Mills are about to erect a mill at a cost of \$10,000 to make this butt-welding tubing. What I ask the hon. Finance Minister to do is, to subject all butt-welding tubing to 25 per cent. duty, leaving the lap-welding as it is at present. Boiler plates are now charged 12½ per cent. Fancy the position in which you will place a large establishment in my own city, as well as many others of the same kind, which get no remission of duty on the boiler plates and the tubing that enter into the construction of their boilers, while those plates and tubes amount to more than one-half of the boiler. What I propose is that the whole duty on the tubing not made in the country should be given back to these manufacturers. Otherwise you will destroy the export trade, and that trade being destroyed you will certainly not have the duty on the articles imported that enter into the manufacture of the articles exported. If you charge a duty of 25 per cent. on the tubing not made in the country, and the manufactured article, of which the tubing amounts to one-half the cost, pays the same amount of duty, you are, in a round-about-way destroying any protection this manufacture of boilers has at all. All I ask the hon. Finance Minister to do is to use the word "butt-welding" which will cover the article that is produced in the country, and leave the lap welding stand at the same rate of duty as now.

Mr. McCALLUM. The hon. member for South Brant says that tubes less than two inches in diameter are used in boiler-making. That is not my experience. Small tubes soon get closed up with soot and smoke, and there are no boilers to-day made of tubes less than two inches in diameter. The hon. member says butt-tubing should be admitted as a raw material. Boiler plates may be a raw material for boiler-makers, but butt tubes are not, for it requires very little labor to put them in the boilers. It is too small in diameter for boilers.

Sir LEONARD TILLEY. We have received no communication that there is any objection to tubing of two inches diameter and above for boilers. We do not wish to disturb that; but as a smaller description of tubing is to be manufactured in the country, it was thought quite consistent with the policy of the Government that we should recognize that industry and place it in the 25 per cent. list. I am not, therefore, in a position to accept the hon. member's suggestion, owing to the difficulties which would likely arise.

Mr. BLAKE. What is the annual value of the exports which you expect to be affected by this change?

Sir LEONARD TILLEY. The classification is such that we cannot tell.

Mr. BLAKE. I thought that when the hon. gentleman, as a sort of Providence of industries, was making enquiries, he would make some sort of calculation as to the amount of industry he would produce by this alteration of the Tariff. How many representations have been made to him as to the starting of manufactories of tubing?

Sir LEONARD TILLEY. We have ascertained that parties were preparing to manufacture this tubing, and we thought we should give them this encouragement, and therefore, in accordance with our policy, we propose to give them the 25 per cent. as we give it to other iron manufacturers, for that article.

Mr. BLAKE. I enquire whether the hon. gentleman had made any investigation as to the annual expected product, in this country, of this particular tubing?

Sir LEONARD TILLEY. I have not.

Sir RICHARD J. CARTWRIGHT. The Finance Minister did not answer the suggestion of the member for South Brant, as to the possibility of allowing those manufacturers who import this article for the purpose of constructing machinery which is afterwards re-exported, a rebate of duty. I know nothing, either from the Protection or Free-trade point of view, which need interfere with his doing that if he sees fit. From his own standpoint, if he desires to promote Canadian industries, it appears to me it would be a proper thing, indeed, if any manufacturer wishes to import articles of this kind, and the Finance Minister gets proof that he re-exports them, that he should receive a rebate. That is in accordance with the Free-trade theory and common sense. Nor do I see any great difficulty in the way of making proper Customs regulations to meet this proper suggestion of my hon. friend.

Mr. PATERSON (Brant). In the interest of my suggestion in that matter, I can appeal to the principles of Ministers themselves. [The hon. gentleman here read a letter from an importer in order to illustrate and support his views on the subject.] He continued: The firm which forwarded this letter to me favor somewhat the Government policy, and say they use some of the butt-welded as well as the lap welded tubing; but that if the butt-welded is to be produced in Canada a duty should be put on it, in order to give the producers a fair amount of protection. They say with reference to the lap-welded tubing—because the firm coming into existence cannot and does not propose to make what would not be used here by the boiler-makers and oil-well owners—that a distinction should be made, and that the protection designed for that mill should be given to its only product, and not be made the means of imposing a tax that would not benefit them, while injuring others. I think there would be no difficulty with the Customs officers in determining that point.

Sir LEONARD TILLEY. I will take this matter into consideration before final action.

Mr. BOWELL. The principle adopted by the Customs Department has been to allow a drawback on the raw material which enters into the manufacture of articles in this country, but not on machinery wholly made abroad and simply put together in Canada.

Mr. PATERSON (Brant). Why should one manufacturer, if he exports, not be entitled to as much protection as another who does not? If there is to be protection let all alike share in it. Supposing tubing is made in this country and in the United States, there is a heavy duty on what comes from the United States; but a certain amount goes into boilers made here that are exported. In that way the protection the tube-maker has in Canada would be wiped out; but he would have full protection on all the boilers they used, and the tubing imported from the United States, sold in Canada. They are protected to the full extent of the Canadian home trade. The only discrimination against them would be on the very minor amount that goes into the foreign export trade.

Mr. BOWELL. With regard to the general question raised by the member for South Brant, it is scarcely worth while discussing it at the present moment, because it has been so often discussed in this House before. We contend that those articles which have been protected can be purchased in this country, notwithstanding the duty, owing to the competition, as cheaply as they could under the 17½ per cent. tariff of the late Government. The hon. member for South Brant (Mr. Paterson) must see that if we impose a

duty on a particular article to encourage its manufacture in this country, we should, if possible, reserve the market for that manufacture. I have no doubt that such articles can be obtained of as good quality and as cheap as in the United States,—but some manufacturers, as in the case mentioned by the hon. member, have been in the habit of using a particular imported article, and they do not care to use any other. This manufacturer thinks that a particular American saw suits his purpose better than those manufactured now in Galt or Montreal, though others say that Canadian saws are equally as good. At any rate, if we were to give him a drawback upon the duty which he pays on his imported saws, the protection to the saw manufacturers of Galt and Montreal would be swept away. The hon. gentleman says that this remark applies only to those which are exported. I admit that, but I contend that in carrying out the policy of the Government, even that portion of the market should not be taken from our home manufacturers, especially when, as the price shows, their saws are just as good and just as cheap as those imported from the United States.

Mr. PATERSON (Brant). As the Minister of Customs does not wish at present to discuss the general question, I shall only offer a few remarks for his consideration when the question does come up. We impose a duty on grain for the benefit of our farmers—in the case of wheat 15 cents per bushel. American wheat passes through our country in bond; it does not injure our farmers; it goes into another country and we get the benefit of handling it. This would be precisely the case with some of the drawbacks to which I have referred. Boiler tubes for instance, would come into the country, they would enter into the manufacture of boilers, giving employment to our own workmen, and would then be exported to a foreign country. If you impose a duty on American grains coming into the country without allowing a drawback on the duty paid, the result would be to shut off our export trades, and in that way damage the country. And in the same way, by imposing a duty on the articles to which I have referred, and which are certainly the raw materials in their respective lines of manufacture, and by refusing to allow a remission of the duty, you are doing exactly the same thing as you would be doing by refusing a rebate of duty on wheat imported for exportation. I contend that the two cases are exactly parallel.

Mr. HESSON. Surely the hon. gentleman does not pretend to say that the importation of boiler plates or tubes, and that of wheat, are identical in their effects upon the revenues of the country. The wheat which we import in bond gives employment to our workmen in grinding it and putting it into barrels.

Mr. PATERSON. Does the hon. gentleman mean to say that wheat is the raw material of the farmer? Surely he knows that it is his manufactured product. The manure and the soil are the raw material.

Mr. HESSON. Wheat is not the finished product when it is not consumed. The hon. gentleman knows perfectly well that this wheat gives employment to our workmen and our capital by manufacturing it into flour and sending it out of the country. The hon. gentleman asks that we should allow a rebate of duty on boiler plates and tubes when he knows that would tend to kill one of the industries which the National Policy was intended to foster and build up, and it would be far better for him if he would advocate the manufacture of such articles here instead of the importation of them from a foreign country. If iron, for instance, was imported for the purpose of making these plates, he might then very reasonably ask the Government for a remission of duty on the raw materials,

On item 7, chains,

Sir LEONARD TILLEY. I may say, with regard to these chains, that though they are called  $\frac{1}{2}$  inch chains they measure about  $\frac{1}{8}$  of an inch over.

On item 12, lead,

Sir LEONARD TILLEY. This is for the purpose of making a specific duty instead of a 10 per cent. duty. We have one or two industries of this kind; and, from the undervaluation and fluctuation of prices, it has been considered desirable to make the duty specific.

Sir RICHARD J. CARTWRIGHT. Bars and sheets are made 60 cents; is not that more than 10 per cent.?

Sir LEONARD TILLEY. It is a fraction over I think. It is a partially manufactured article, but still the same principle is applied.

On item 13, leather,

Sir LEONARD TILLEY. This is to obviate some difficulties that have arisen in the working of the old Act. By naming all these articles and fixing the rate of duty, we shall obviate the difficulty that has arisen of having different rates of duty charged in different ports.

On item 15, liquorice root,

Sir LEONARD TILLEY. As the Tariff stands at present liquorice root is in both the free and the 20 per cent. list. This strikes it out of the 20 per cent., list and leaves it in the free list.

On item 16, marble finished,

Sir LEONARD TILLEY. As there is 10, 15 and 20 per cent. upon the raw material; it is now proposed that the duty on finished marble work imported shall pay 30 instead of 25 per cent.

On item 17, oil cloth,

Sir LEONARD TILLEY. A difficulty has arisen with different customs officials with reference to the rates of duty on these articles. In order that there shall be no mistake we make the duty specific.

On item 19, plated ware,

Sir LEONARD TILLEY. A different practice has been pursued in different parts of the Dominion on this subject. Plated knives have been in some places under the Tariff entered at 20 per cent. others at 30 per cent. It is in order to settle that difficulty that they are made uniform, and to define exactly what cutlery is.

On item 21, silk in the gum,

Sir LEONARD TILLEY. It was supposed when we introduced the Tariff that this article, which is a raw material for the manufacture of silk, should be admitted at 15 per cent., but it appears it was not covered by the words that were used, and the amendment now proposed is for the purpose of enabling silk to be imported at that rate.

On item 22, German silver,

Sir LEONARD TILLEY. With reference to this article there has been some questions in the different departments as to the rates of duty that should be paid, and it is proposed to state distinctly that that article shall be included under this head. The item with regard to silk is struck out altogether.

On item 21, silk in the gum,

Sir LEONARD TILLEY. We have changed this so as to include satin, as we learned, since we introduced these changes, that parties have recently invested capital, purchased machinery and begun its manufacture.

On item 32, gun cartridges,

Sir LEONARD TILLEY. Cartridges having in some cases been made of brass and in others of paper, different rates of duty have been imposed. This change is to secure  
Mr. HESSON.

one uniform rate, no matter what the cartridge is composed of.

On item 44, wincies,

Sir LEONARD TILLEY said this wincey question was one of considerable difficulty, and the Government adopted, after much consideration, this means of obviating the difficulty. It has given a great deal of trouble to the importers through the different rates charged at different ports. We hope by this change to simplify the duty, and prevent the difficulties that have occurred in the past.

In reply to Sir RICHARD J. CARTWRIGHT,

Sir LEONARD TILLEY said a great deal of this stuff has simply a scarlet stripe, which is the only portion of wool it contains. It is the object of the Tariff to use terms that will simplify the matter, and secure uniformity of action.

Mr. ANGLIN. I think there will still be a great deal of difficulty in connection with this duty. But my chief objection to the proposal is, that while it admits narrow widths, to be used in ladies' dresses, at 20 per cent., it imposes on the wider kinds, which, I am told, are used very largely by the working classes for shirts, because classed as woollens, 40 to 50 per cent. in many cases. That is quite consistent with the whole tenor of the legislation of hon. gentlemen opposite, which discriminates against the poor and in favor of the wealthier classes. The burdens on the poor occasioned by the duties on woollens, several million dollars worth of which are annually imported, are already too heavy. They are defended, however, by the argument that it is necessary to shield home manufacturers from foreign competition. I entirely dissent from the policy of the Government on this particular item.

Mr. BOWELL. The hon. gentleman (Mr. Anglin) has altogether misunderstood the object of the change and of the law itself. Instead of increasing the duty it rather reduces it on many of those articles; because, under the present Tariff, all goods, if it be interpreted literally, that contain two or three threads of wool, might be subjected to two cents per square yard and 15 per cent. *ad valorem*. Under the proposal before the House, all the goods used for ladies dresses are defined, the duty being 20 per cent. The statement that the goods used for shirtings have to pay the duty charged on woollens, is not the fact. The articles used for shirtings, defined here is made of cotton and a large proportion of wool, and pay two cents a yard and 15 per cent. *ad valorem*, which is precisely the duty under the existing Tariff. But the difficulty mentioned, arises in the way in which many of the appraisers and collectors impose the duty on the narrow goods used for ladies' dresses and that are not used for shirts. It is only when they contain a large quantity of wool, and are of greater width than the article used for shirts, that the wool duty applies.

In reply to Mr. ANGLIN,

Mr. BOWELL said the articles 30 inches wide are not used in the manufacture of shirts.

Mr. DECOSMOS. I wish to call the attention of the Government and Finance Minister to the unfavorable operation of the Tariff respecting sugar in British Columbia. It compels the consumer to pay more than he otherwise would, if the duty was not collected on the article passing *in transitu* through San Francisco. Of the \$51,000 duty paid on sugar in British Columbia, coming from all parts, some \$38,000 have been paid on the quantity imported through San Francisco. One of our enterprising merchants opened a business connection with a house in Nicaragua, and his sugar passed through San Francisco, as there was no other means by which it could reach British Columbia but by the Pacific Mail Company's steamers. When it arrived at Victoria, all the charges of moving

it from the interior, the charges for packages were considered, and the duty was collected upon it, levied at the San Francisco market value. This system operates very injuriously to the consumers in our Province, and to the enterprise of our merchants. What we require is this: that on all sugar passing *in transitu* through San Francisco, or any other port, the duty should be levied as though it came direct from the port of production. When I said that \$38,000 were paid on the sugar that came through San Francisco, it must be apparent that we are paying a greater amount of duty, in proportion, than the people at the eastern side of the Dominion. It is therefore with a view of repealing that portion of the Tariff that compels sugar passing *in transitu* to pay duty on its market value, say at San Francisco, that I direct the attention of the hon. Minister of Finance to the subject, and I trust he will adopt some means, either by allowing the Committee to rise and report progress and ask leave to sit again, or by some other course, by which the people of British Columbia can get relief from the operation of the Tariff. I may state that our country, as everyone knows, has a small population; it is in its infancy, and yet it imports 1,000 tons of sugar, molasses, syrup and such articles. It is, however, too small a quantity of sugar for us to keep up direct trade with the Sandwich Islands or Peru; but if the Tariff were changed so as to place our importers on a par with those who import sugar direct to the Maritime Provinces, we will have no objection whatever to offer.

Sir LEONARD TILLEY. We propose that the Committee shall report progress after it has got through the resolutions to-night. The hon. gentleman called the attention of the Government to this subject a short time ago. An amendment will be proposed. The Committee will report progress and ask leave to sit again. In the meantime the Government will take the question into consideration, and decide whether it is necessary to include it in a resolution or Bill. The subject has not been lost sight of.

On item 45, cocoa-nut matting.

Sir LEONARD TILLEY. This article is now manufactured in the country, and it is proposed to make the duty 25 per cent. instead of 20 per cent. as it stands now.

On the Free List,

Mr. ANGLIN. I desire to ask for an explanation why steel is made free for another year? Is there any probability that we will have steel works established, or does some railway company want to get in their rails?

Sir LEONARD TILLEY. It is because there is no industry of the kind established in the country. Parties are, however, contemplating the establishment of works in the Ottawa Valley. Whether they will do so or not remains to be seen, and the declaration of Parliament is that, if they establish works, a duty will be imposed on imported steel after the expiration of this time.

Mr. CHARLTON. While the Committee is engaged in considering the Free List, I rise to express my regret that the Government has not seen fit to extend that list somewhat. I called the attention of the hon. Finance Minister and the hon. Minister of Customs last year to the injurious operations of the export duty on saw-logs. I had hoped to see that duty removed. The amount of duty derived is quite insignificant, the sum last year being less than \$2,500. So far as regards the lumber interest of western Ontario, the duty is very detrimental to that interest. A very large trade has grown up on the western lakes in round timber, drawn from the forests of Michigan, and taken to lake ports, Detroit, Toledo, Cleveland, and Buffalo. That trade, last year, amounted to over 100,000,000 feet of round timber, a quantity worth, on the market, over \$1,300,000. The use

made of the timber is to saw it into bills wanted for immediate use, bills of small size and which cannot very well be filled from a distance; and this trade does not in any way come into collision with the ordinary lumber trade. There is not the least jealousy between the lumber interest of the west and the round timber interest. None of these 100,000,000 feet towed down the lakes are manufactured into mercantile lumber. The parties engaged in the business receive high prices for bills, and mills situated in the cities have always additional advantages of being able to utilize the offal, such as slabs and saw dust, which, in most cases, I believe, covers the cost of manufacture. We have on Georgian Bay and on the eastern coast of Lake Huron as good facilities for engaging in this large and profitable trade as the people of Michigan; but the export duty of \$1 per thousand deters our people from participating in the trade. It surely interferes with business in the west; it is a duty productive of no good; it is one which injures the lumber interests, and it is one which in the interest of the country ought to be removed. It is absurd that this duty should have remained on the Statute-book so long, for, as I have shown, it is yielding no revenue and is doing harm. As regards the Ottawa Valley, it is contended that if the duty is not imposed, saw-logs will be taken from Ottawa up the Richelieu into Lake Champlain and manufactured into lumber there. I do not think that is practicable, and if it were, the difficulty could be obviated by defining a saw-log to be a piece of timber less than twenty feet in length, which would exempt the class of timber towed in the western lakes from the operation of the duty. I do not raise this question for the purpose of making political capital or to cavil at the policy of the Government; but I regret that the Finance Minister has not given his attention to the removal of an impost so absurd and so pernicious in its operation as this one is. I can assure him it prevents the owners of timber lands in the west from engaging in a lucrative trade, amounting to over \$1,250,000, one which confers great profits on a large number of men, and one in which our own lumbermen might just as well participate. If the difficulty I have alluded to, with regard to the lumber in the Ottawa valley, should interpose, I think a practical remedy will be found in the suggestion I have made, that is by classifying the logs, so that long timber would be exempt from duty.

Sir LEONARD TILLEY. I will consider it.

Mr. BUNSTER. I beg to ask the attention of the Finance Minister to the question of powder, which has a great deal to do with the material interests of British Columbia. We have a small population, and we have no manufactory of powder in the Province. Our resources are largely mineral—gold, silver and coal—and I think that in order to develop them, the Finance Minister should throw the duty off powder, instead of retaining the very high duty of five cents a pound. Some of our miners use as much as fifty pounds of powder per week in opening the bowels of the earth. I know the Finance Minister means honestly by our Province, and I think he will see that it is only fair that this duty should be removed.

Sir LEONARD TILLEY. I am afraid I cannot ask the House to accommodate my hon. friend, by putting powder on the free list. I believe arrangements have been made by which Canadian powder can now be supplied, even to the miners of British Columbia; and as the facilities for transmission increase I have no doubt that the price will be still further reduced.

Mr. BLAKE. The hon. gentleman will not object to pay a little more for powder when it is manufactured in the country.

Mr. BUNSTER. The hon. Finance Minister has thrown out a suggestion, but I think he ought to make a compro-

mise with me. Let him throw off the duty until the railway is built to British Columbia.

Mr. ANGLIN. If he would put a duty on pig tails, it would answer the purpose.

Mr. BUNSTER. I thank the hon. member for reminding me of that; and if the Finance Minister will only put a duty on rice, we will probably catch the pig tails. I say it is a disgrace that there should be five cents duty per pound on powder, and only one cent per pound on rice.

Mr. BLAKE. We make powder but we do not grow rice.

Mr. BUNSTER. You might throw some rice on the troubled waters and help me out of this difficulty. If we cannot grow rice, we have a very good substitute in the shape of potatoes, especially in my part of the country. We are only a small Province and small in our representation in this House, but you invited us to come in, and told us that you would hear all our grievances.

Mr. WHITE (Hastings). We are using you well.

Mr. BUNSTER. Yes; we have been getting deeper into the well ever since we came in.

Mr. OGDEN. I quite agree with the hon. member for Vancouver in asking that the duty should be reduced on powder. The people in my county are largely engaged in gold mining, and they use a good deal of powder. I agree with the hon. gentleman, and I hope the Finance Minister will take into his favorable consideration the reduction of the duty upon powder. But I am surprised, I am amazed, to hear an hon. gentleman who says that he represents a fishing constituency, come forward and ask to have 25 cents a pound duty placed upon rice. We use wild rice around the edges of the lakes, to decoy ducks, on the Gatineau River. They come there in the summer to lay their eggs and hatch their young, and duck hunting affords sport to our fishermen as well as food to many of our poor people in the winter. I am surprised to hear an hon. gentleman, who is said to represent the laboring class, to represent a fishing community, stand here and ask to have a duty imposed upon rice. It is all very well for the hon. member for Vancouver Island (Mr. Bunster), who, perhaps, at this very moment has a Governor's Commission in his pocket, to stand here and ask to have the poor man's food taxed; but I, as the representative of a fishing constituency of faithful and honest men, who are willing to work hard for a living, hope and trust that you will not permit such a thing. I hope the Government will let the hon. member for Vancouver Island just go ahead and pay his attention to the reduction of duty upon powder, and let us have rice free. Rice pudding I know is a very important article of food in the hotels of Ottawa. We enjoy it once in a while, and, therefore, I hope the hon. member will not persist in asking this House to impose a duty on rice, because if the Government should do so I should certainly vote against them for the second time since I have been in Parliament.

Sir LEONARD TILLEY moved that the foregoing resolutions and the alterations made in the duties of Customs on the articles therein mentioned shall take effect on and after the 26th day of February instant.

Resolutions ordered to be reported; and (at 11:30 o'clock, p.m.,) the House adjourned.

Mr. BUNSTER.

## HOUSE OF COMMONS.

MONDAY, 28th February, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### PRIVATE BILLS.

Mr. DOMVILLE moved that the time for the reception of reports on Private Bills be extended for a period of ten days from 1st March, in accordance with the recommendation of the Select Standing Committee on Banking and Commerce.

Motion agreed to.

### THE BANKING ACT.

Mr. DOMVILLE, in the absence of Mr. ORTON, introduced a Bill (No. 73) to explain section 52 of the Banking Act. He said: Section 52 says that banks shall not be liable to a penalty for usury, and goes on to state that they shall not take, exact, or recover any rate of interest exceeding 7 per cent. This Bill is to explain the fact that it is not the intention of the Act that banks shall be allowed to take, receive, exact, or recover any rate of interest above 7 per cent; and if they do, they are bound to refund the difference between that rate and what they receive to the borrower.

Bill read the first time.

### EUROPEAN, AMERICAN AND CANADIAN CABLE COMPANY.

The following Bill was read the second time:—

Bill (No. 72) to incorporate "The European, American and Canadian Cable Company Limited," (from the Senate).—(Mr. Currier.)

### MAILS BETWEEN ARTHABASKA AND THREE RIVERS.

Mr. BOURBEAU enquired, Whether it is the intention of the Government to appoint a mail conductor to travel on the branch line of railway between Arthabaska and Three Rivers?

Mr. LANGEVIN. I have the honor to inform the hon. gentleman that such is not the intention of the Government.

### UNDER VALUATIONS FOR CUSTOMS DUTIES.

Mr. KRANZ enquired, Whether, in view of the fact that it has been stated that children's carriages and like articles were imported last year from the United States, and entered for duty at a less value than the market price ruling then in the United States, any provision has been made to check these undervaluations; and if so, of what nature?

Mr. BOWELL. It has been found, on examination, that the discount allowed by manufacturers on that particular kind of goods is 28 per cent. in the United States, while the discount allowed to Canadian purchasers is 33 per cent. In other cases where articles are purchased for exportation to Canada an extra 25 per cent. discount is allowed. All the invoices entered at those reduced rates have been ordered to be amended, and the price increased to the value of the articles, and duty has been added and collected accordingly.

### SHELBURNE HARBOR.

Mr. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to make provision, in the Supplementary Estimates, for the erection of a fog-whistle at the entrance of Shelburne Harbor, Nova Scotia?

Mr. **LANGÉVIN**. It is not the intention of the Government to make provision in the Supplementary Estimates this year for the erection of a fog-whistle at that place.

#### THE QUEBEC JUDICIARY.

Mr. **BEAUCHESNE** enquired, Whether the Government are aware that, of the two Judges charged with the administration of justice in the district of Gaspé, one resides at Quebec and the other at Montreal? Whether it is the intention of the Government to allow that state of things to continue any longer? Whether the Minister of Justice has considered the representations which have been made to him in relation to this matter by the County Council of the County of Bonaventure?

Mr. **McDONALD** (Pictou). It has been brought to the notice of the Government that the Justices of the Superior Court of two of the districts of Gaspé resided, one at Montreal occasionally, and one at Quebec. No complaint on the subject has been made to the Government with the exception of a communication from the County Council of Bonaventure addressed to me, which is now receiving the consideration of the Government, and the Government will communicate with the Government of Quebec on the subject.

#### CARGO OF THE SHIP "BOYNE."

Mr. **GAULT** enquired, Is it the intention of the Government to refund to the owners and insurance companies the sum of \$5,478.3, the amount collected as duty on the cargo of damaged wheat and corn from the ship *Boyne*, the duty having absorbed the whole proceeds of the sale of the cargo?

Mr. **BOWELL**. It is not the intention of the Government to make the refund, there being no law to justify it.

#### INSURANCE COMPANIES.

Mr. **GRANDEBOIS** enquired, Does the Government propose to extend the law so as to allow its Insurance Superintendent to investigate the affairs of all life and fire insurance companies; and also put a stop to all unlicensed mutual fire insurance companies known as "Counties Mutuals," in the Province of Quebec, and "Life Co-operatives."

Sir **LEONARD TILLEY**. The Government have that subject under consideration. I will let the hon. gentleman know in a day or two.

#### MAIL SERVICE ON LAKE CHAMPLAIN AND ST. LAWRENCE RAILWAY.

Mr. **VANASSE** enquired, Whether it is the intention of the Government to establish a mail service on the Lake Champlain and St. Lawrence Railway?

Mr. **LANGÉVIN**. It is not the intention of the Government.

#### BRANCH POST OFFICE AT MONTREAL.

Mr. **COURSOL** enquired, Whether the Government are aware that a large portion of the public of Montreal will suffer inconvenience from the closing of the branch post offices at Montreal; and is it the intention of the Government to order the closing of the said branch offices?

Mr. **LANGÉVIN**. There is no intention of closing the branch offices in Montreal.

#### CLAIMS OF CONTRACTORS ON THE INTERCOLONIAL RAILWAY, SINCE JANUARY 1st, 1880.

Mr. **MACKENZIE** moved for copies of all Orders in Council respecting the claims of contractors on the Intercolonial Railway, since January 1st, 1880, also of all

instructions issued to Mr. Shanly, respecting the same, and correspondence relating to such claims. He said: In the absence of the hon. Minister of Railways it is not my intention to discuss these notices at the present time. As the hon. the Minister of Public Works has been attending to the business of the Minister of Railways, I presume he has got these papers ready as well as the papers asked for in the other notices, seeing that the notices have been on the order paper for weeks.

Mr. **POPE** (Compton). The papers have been prepared upon all the motions the hon. gentleman has upon the paper. I hope to be able to lay them on the Table tomorrow or next day.

Motion agreed to.

#### HARBOR OF TORONTO.

Mr. **MACKENZIE**, in moving for any report made by Government engineers respecting works in the harbor of Toronto, since January 1st, 1880, with map showing the locality of the new channel being dredged at the western entrance, said: I make this motion because it is my conviction, from information which has reached me, that the hon. Minister of Public Works has allowed himself to be advised wrongly in regard to this harbor. Instead of following up the work which has been done for a number of years past, and gradually widening and deepening the channel at the Queen's wharf, the engineers of the hon. gentleman have made an entirely new cut through the end of the Island beach which protects the harbor, and which, instead of doing good, has, I believe, done incalculable injury to the harbor. What I am anxious to ascertain from the hon. gentleman is, whether this has been done on the report of any engineer other than those who have already reported upon it. The hon. gentleman is, of course, aware that several reports are in the department on the subject of the Toronto harbor, but I do not think any of them recommend a new entrance to be made in the place where dredging has been carried on during the past year. I see it stated in the public newspapers that some authority from the United States is now inspecting the harbor. That may be a wise step, or it may not. I should be very glad, indeed, if any new light could be thrown on the subject, but so far as our experience for the past two or three years enables us to judge, all that was necessary to be accomplished was to widen and deepen the western entrance, and to guard against the shoals which are constantly opening and closing the eastern entrance.

Mr. **LANGÉVIN**. Of course, the papers will be brought down. I should have preferred the hon. gentleman to have allowed the information to be laid before Parliament before expressing any opinion on the action taken by the engineers of my department. The hon. gentleman may rest assured that the works undertaken there have been undertaken on the advice of the engineers, and the papers will show the reason therefor. They will show that there was formerly a refilling of the entrance every year, so that the work had to be begun anew, and soundings showed that a greater depth of water could be obtained where the new channel has been begun. The subject of protecting the harbor of Toronto has received the special attention of the department and the Government, and we have engaged an engineer of great ability, Captain Eads, who has achieved great success in improving the navigation of the mouth of the Mississippi, and who has been engaged, during the past three or four months, in fulfilling an engineering Commission from the Mexican Government, to examine the harbor of Toronto, especially the eastern gap, and to give his opinion on what works may be necessary in order to improve the harbor permanently. He is now looking over

the papers to put himself *au fait*, and then he will come and examine the harbor.

Motion agreed to.

#### PORT HOOD WHARF.

Mr. MACDONNELL, in moving for all correspondence and communications between the Government and the Commissioner, or party in charge of the expenditure and repairs made on the public wharf at Port Hood, during the last summer and fall, relative to the present state of said wharf, and to the further sum necessary to complete said repairs; also a return of said expenditure so made, said: The wharf at Port Hood was built before Nova Scotia entered Confederation by the Local Government of Nova Scotia, at a very great expense. It was built in connection with the extension of the railway from Truro to the harbor of Pictou, in order that the island of Cape Breton might enjoy the benefits of the railway system of Nova Scotia. That wharf was transferred to the Dominion as a part of the public property of the Province, and thereby became a charge on the Exchequer of the Dominion. It has always been treated as Dominion property. From time to time, since the year 1867, it suffered severe injuries, and at different periods was repaired by the Dominion Government. In the spring of 1879, while here attending to my duties in this House, I was informed that that wharf had suffered some injury, and that its state was such that if not repaired in a short time it was liable to become entirely destroyed. I directed a letter in April, 1879, to the then hon. Minister having charge of the Public Works of the Dominion, who, I am sorry to say, is now absent through severe illness; my letter pressed on the hon. Minister the necessity of securing that valuable public property from further injury or total destruction. This letter received no attention. What I then anticipated only proved too true, for some months afterwards the wharf was cut in twain by a severe storm. It remained in that condition for a long time, to the very great inconvenience of the public, and last spring I again brought the subject to the notice of the hon. Minister. Again I received no satisfaction. I then applied to the present Minister of Public Works for permission to have that property belonging to the Dominion, and in which the people were deeply interested, repaired at private expense. I was about to recommend that a public or a private subscription should be made by the residents of the county, and of adjoining counties, in order to meet the expense of repairing the wharf. I received no satisfactory answer to that letter. Having gone home about a month before the prorogation of Parliament last year, I again wrote to the hon. Minister, asking for the second time that I might be allowed to have this public work repaired by means of private subscription, and I was informed that the sum of \$3,000 was granted for the purpose in the Supplementary Estimates. I wrote to the Government asking that the repairs be at once undertaken. They were not undertaken till late in August, and the whole western side of the island, a distance of 110 miles, was left without any proper communication with the shore for the steamers and other vessels that visited the place. At length the work was undertaken in the fall—a season of the year most unsuitable for work of any description on that exposed shore, owing to the severe storms then prevalent. It so proved in this case. When the work was only half through, a storm carried away a large portion of the new wharf—two large piers—and the amount provided proved insufficient to meet the cost of repairs. The wharf has remained in an unfinished state ever since.

Mr. LANGEVIN. When did that last storm occur?

Mr. MACDONNELL. The hon. gentleman should know. He was informed by his engineer when it occurred. It

Mr. LANGEVIN.

occurred during the progress of the work, and if the hon. gentleman had properly discharged his trust, he would have undertaken the work at a time when it could be conducted with safety. I accuse the hon. Minister of having caused, by his incompetency or neglect, a loss of thousands of dollars to the Dominion. All that was necessary was for the hon. gentleman, in response to my various applications, to write a single note to one of the many engineers of the Dominion who are sauntering around the streets in want of employment. The loss to the Dominion directly by the carrying away of the wharf is not the only loss, the public have suffered through the want of that structure. I want to tell the hon. gentleman that, although this is a little local work, it is of more than local interest. It is not only the Province of Nova Scotia, and not only the county of Inverness that are interested. I have seen dozens of mowing machines and other agricultural machinery imported from the Province of Ontario into the county of Inverness, Cape Breton, which had to be landed at that port in small boats. I saw various cargoes of lumber during the past summer which had to be thrown into the water and floated ashore in the shape of rafts, all owing to the culpable neglect of the hon. Minister. It is all very well for these hon. gentlemen to treat the public interest in this way, simply because a certain county does not return a representative to support them. That is the only reason why this work has been treated as it has been. The matter is not a local one; it is a matter of yesterday, but it is a property that was transferred to the Dominion as a part of the public property of Nova Scotia at the time of the Union, and I charge these hon. gentlemen with having violated the terms of Confederation when they neglected to uphold a work of this kind. As well might they discontinue an important mail line, or discontinue to uphold a railway in a Province, simply because that Province returned men opposed to the Government. I have approached the hon. Minister on various occasions. I have asked him if it was his intention to put anything in the Supplementary Estimates for this work, and I could receive no satisfaction. Now, having made this statement, I am prepared to uphold what I have said. I leave the matter in the hands of the Government. If they will continue to neglect this work and the public interest—and it is not the county of Inverness only that is interested in it—the fault will be theirs. We have a steamer running regularly between Pictou and that port during the summer months, discharging cargo at it and plying through the Straits of Canso; and other counties are interested in this work—counties which send to this Parliament faithful followers of the Government. I, therefore, hope the Government will not continue to disregard this work. I hope they will feel that while they have so immense power at their back, they owe to the country a due discharge of their duty, and due vigilance in regard to the public interests of the Dominion.

Mr. LANGEVIN. The hon. gentleman (Mr. MacDonnell) must see, after his excitement has passed, that when he wrote to me to suggest a public subscription to raise the funds necessary for the improvement of this work, that I could not have accepted his proposal as a serious one. If a public work requires to be put in order, a vote must be asked for it in Parliament, which will not be begrudged. The hon. gentleman must see, if the answer he received was not a satisfactory one, that he could have received no other. Votes for works, by Parliament, are granted from the 1st July to the 1st July following; therefore, until the 1st July comes we cannot expend the money on any work. The hon. gentleman will kindly remember that a large number of works have generally to be undertaken in all parts of the Dominion, and that they require as much attention as this special work in which he is naturally interested.

**Mr. MacDONNELL.** I am no more interested in it than anybody else.

**Mr. LANGEVIN.** Those works being so numerous have to be taken in turn, and in this case I do not think the hon. gentleman can complain much when he says the works were undertaken in August. I do not know the exact circumstances he speaks of, but it shows that the work must have been a very slight one, when the storm carried away two or three of the large piers he refers to, and that the department were quite justified in taking a little time to consider the matter, and see whether the grant, small as it may have been, should be expended just at that moment. Therefore, the hon. gentleman has no right to complain. This work has been attended to like all others. It may be unfortunate that the storm spoken of came on just at that moment, but I have no control over the winds and waves. The like of what occurred at that place occurred elsewhere. He complains that he came to me several times and asked me, without result, whether I would put a vote in the Supplementary Estimates. If he would consult others who have felt the responsibilities of office, he would find that to such a question he could receive no satisfactory answer.

**Mr. MacDONNELL.** I said nothing of the kind.

**Mr. LANGEVIN.** The hon. gentleman could expect no answer from me to such a question. When the Supplementary Estimates come down he will see, like all other hon. gentlemen, whether the work was considered one that should have a vote proposed to it. I have already told him twice, this matter will be investigated, in order to see whether the work can be provided for in those Estimates.

**Mr. MacDONNELL.** This subject has been before the Government a whole year. I suppose the hon. Minister of Public Works is considered a very excellent administrator, and that I can take for granted that he was aware of the state of this public work. If so, he has known its state for nearly twelve months; and it was his duty, in the case of a work so important, to have provided for it in the chief or main Estimates. His not doing so left me but one course—that of discharging my duty by making an enquiry in this House, as to whether he intends doing anything in this matter at present. I long refrained from making any enquiry; but the Session is drawing to a close, and I should be subjected to a severe criticism by those who sent me here to watch over their interests if I did not bring this matter before the House. It is a matter in which Inverness is not alone interested; because from Ontario we get all our farming implements, and the major part of our manufactured goods, and they are landed at this place.

**Mr. LANGEVIN.** In his first speech the hon. gentleman spoke of Supplementary Estimates, and therefore I had to answer his question as I have just stated—that I could give him no information on that point.

Motion agreed to.

**MR. MUNRO'S LAND IN BRITISH COLUMBIA.**

**Mr. DeCOSMOS** moved for an order of the House for the report made by Mr. J. W. Trutch, respecting the land of Mr. A. Munro, situated within the Indian Reserve at Cowichan, Vancouver's Island. He said: In bringing this matter before the House I shall have to read considerable correspondence. In the first place, I may read the statement made by Mr. Munro, and sent in to the Department of Indian Affairs in this city, which is to the following effect:—

**"STATEMENT re LAND IN COWICHAN VALLEY, B.C.**

	£ s. d.	£ s. d.	\$ cts.
Purchase price of Sections 15 and 16, Range 7, Quamichan District—200 acres,—less road allowance, 4 acres—196 acres at £1 sterling .....			196 0 0
(Paid as follows:—In 1858, £160. In 1862, £36, per Land Office Receipts)			
Outlays—including a survey of the land, journeys, &c., on several occasions, taxes, &c.....			300 00
July 1st, 1879, simple interest to date at 8 per cent. per annum, (being less than five per cent. compounded):			
On £160 (say from 1859), 20 years .....	258 0 0		
On £36 (say from 1863), 16 years .....	46 1 7		
On outlays.....		302 1 7	75 00
			375 00
At Ex. \$1.85 per £ .....		£498 1 7 =	2,415 68
			\$2,790 68

"Land in the vicinity, outside the Indian Reservation, was sold last year at \$12.50 and \$15.00 per acre. Present value, say—200 acres at \$15.00—\$3,000.00.

"Railway construction will enhance the value."

In support of that statement here is a certificate by two leading land agents of the city of Victoria, Messrs Lowenberg & Heisterman:

"We, the undersigned land agents in Victoria, do hereby certify that the land known as Mr. Munro's land, Sections 15 and 16, Range 7, Quamichan District, which is a tract of fine, rich bottom land in the Cowichan Valley, is worth now at least \$15.00 per acre, and that it could readily have been sold by us if open for purchase, but the Indian claim and occupation of it prevents all effectual negotiation.

"(Signed),

"D. LOWENBERG.

"H. F. HEISTERMAN.

"Victoria, B. C., 7th July, 1879."

From these statements the House will gather the amount of Mr. Munro's claim in respect of this land. I will now read some extracts from official reports regarding the Indian claim and occupation of A. Munro's land in Cowichan (sections 15 and 16, range 7, Quamichan district). The following is from the report dated 16th January, 1878, by the Indian Reserve Commissioners to the British Columbia Provincial Government:—

"Several Indians have built houses and cultivated and fenced portions of land in Cowichan, belonging to Mr. Munro .....

"The Indians say that Sir James (then Mr.) Douglas gave them the whole flat for a reserve, including the land on which they had encroached, but it appears that the Government of Mr. Douglas sold this land to Mr. Munro at about the same time the reserve was made, and that Mr. Munro has all along been the legal possessor of it .....

Mr. Munro's comments are as follows:—

"The Indians never consented to the sale; but this was unknown to me at the time. They claim the land as part of their reserve, and have hitherto held it as such, notwithstanding repeated efforts to dispossess them. Thus they have ever remained the real or actual possessors, while I, in the empty capacity of 'legal possessor,' have been assessed and have had to pay the yearly taxes and other outgoings."

One of the Commissioners, writing for himself and the other Commissioners, in a letter to me, dated 4th January, 1877, says, *inter alia*:

"As I have told you personally, I believe that the Government have sold to you land which had been previously assigned, or is claimed to have been assigned, to the Indians as a reserve."

Another of the Commissioners, in a letter to me of 20th January, 1878, says:

"I agree with you that the land should never have been laid off as it is."

The late Minister or Superintendent General of Indian Affairs, with whom Col. Powell, the Superintendent, corresponded specially on this matter in the summer of 1877, held

that the land in question pertained to the Indians, and that its possession ought to be secured to them or for their benefit. The Commissioners further say :

"Whatever may have been the case at one time, we think that after what has passed, the incorporation of this land within the Indian Reserve now would have a bad effect on the minds of the Indians.

"The Commissioners think that Mr. Munro should take steps, and that he should have taken steps long ago, to compel the Indian trespassers on his land to submit to the law."

Upon this Mr. Munro thus comments :

"I do not ask that it be so 'incorporated.' All I seek is reasonable compensation; and for this the Government may do with the land whatsoever seems to them best. The property is said to be admirably adapted and situated for an Indian Industrial Model Farm."

The Commissioners proceeded to say :

"The Indians have made considerable improvements on the land, thus increasing the difficulty and hardship of removing them. It is possible that the enforcement of the law may cause trouble, and perhaps bloodshed; but in the Commissioners opinion there is no other alternative than to turn the Indians off, reserving the old grave-yard upon the land, as marked by the Commissioners. \* \* \* At the same time the Commissioners ask the attention of the Provincial Government to that portion of the enclosed memorandum which states what the Cowichan Indians generally said to the Commissioners about their treatment by the formal Colonial Government."

Mr. Munro comments as follows :—

"This has not been communicated to me, but is understood to have been an expression of dissatisfaction on the part of the Indians."

Referring to the memorandum mentioned by the Commissioners, Mr. Munro remarks :

"It is easy to say this. The case was duly submitted to the Commissioners themselves, and what have they done? I have done all I possibly could—by myself and others and through the proper authorities—short of provoking the Indians to actual conflict. At my own cost, many years ago, I had the land surveyed, and stakes and posts put in, but these were removed. Their own Superintendent, Colonel Powell, advised and urged the Indians strongly to surrender the land, but in vain. Mr. Sullivan (then Superintendent of Police), Mr. Morley and others, as representatives of the law, were sent up at different times to endeavor to remove them or persuade them to remove. Mr. Sullivan went so far as to commence pulling down their fences, but, though a brave man, he was compelled by threats of violence from the enraged Indians then assembled to desist at once.

"The manner in which, on another occasion Mr. Rogers, who attempted to build and settle on the adjoining section No. 14 (likewise claimed by the Indians as part of their reserve), was driven off by them, and forced to have his pre-emption cancelled, shows what the Indians were and are prepared to do if put to the test in maintaining their claim to this land.

"This is very probable if the 'enforcement' be made despite justice, considering the rights they claim and the extensive improvements in buildings, &c., made by them.

"There is an alternative. The land can be recovered from me on reasonable terms. If 'turned off' they will go back and retaliate whenever the pressure is withdrawn—so that the continuance or repetition of force (a costly process) will be necessary to keep them off; and even then peaceable possession cannot possibly be had in defiance of them.

"As regards the grave-yard here specially mentioned, the Indians have just as much right to it as to the rest of the land. So have I. While doubtless it is highly proper that the Indians should have the grave-yard, the Commissioners had no power to assign it, as has been done, independently of me and my rights of property. I say, then, take the whole of the land as well. That is the only settlement of the difficulty that is likely to be either satisfactory or permanent."

I will now read from the report dated 21st March, 1877, by the Indian Reserve Commissioners to the hon. the Minister of the Interior :

"Cowichan.—There were two cases which presented peculiar difficulty; one, that of Mr. Munro, the other of a Mr. Dods.

"The first having paid his money in 1859, at the rate of £1 sterling per acre, had been allotted a tract of 200 acres which cuts directly into a portion of the general Reserve.

"Mr. Munro, finding that the Indians hankered much after this place, had, by letter addressed to us before we left Victoria, offered to place the piece of land in question at our disposal on consideration of his being reimbursed his original outlay with moderate interest. The adoption of this measure we should have been disposed to recommend as expedient to the settlement of the whole question; but on enquiry our views were altered. We found that the plot had been fenced and occupied by a party of the Somenos-Sept, headed by a man named Sin-a-Meetza, and that Mr. Superintendent Powell had some time ago warned him that he was acting illegally and summoned him to desist. Nevertheless, Sin-a-Meetza had continued, and improvements to a very considerable extent had been, by him and his companions, since effected on the land.

"We feel, therefore, that to recommend any measure which, if carried out, might tend to confirm Sin-a-Meetza in his usurped possession would

Mr. DeCosmos.

be at present inadvisable. We determined, therefore, in ignoring Sin-a-Meetza's possession altogether; and on this determination we acted at the final conference which took place on the day of our departure."

On this document Mr. Munro thus commented :

"In writing to me on 4th January, 1877, the Commissioner already quoted said: 'In conversation with my brother Commissioners, it has been suggested that to enable us to approach the Government with the view of obtaining authority to settle your land claim, a distinct proposal should be made by you as to the amount that you would be willing to receive in liquidation of your claim, should the Commissioners judge it advisable to confirm possession to the tribe of the land (purchased by you) which they unquestionably have taken possession of. \* \* \* I am satisfied that the Government of the day will not consent to pay any very large amount in liquidation to enable us to assign the land under the tenor of our commission.' This, which conveyed to me the intimation or suggestion that I must be satisfied with a moderate rate of interest on the purchase money which I had paid, agreed with the offer I had previously made to the Commissioners as expressed in their report opposite. I had no further communication or reply from the Commissioners; but the explanation given in their said report seems to show that their views were altered on slight grounds, and with little care for the loss and hardship to which I had been for so many years, and still am subjected. I am far from wishing or intending to make any undue reflection on the Commissioners. Doubtless they found some difficulty in the case, but that is no good reason for evading a settlement of it."

Mr. Munro further comments as follows :—

"It was not necessary to recommend any such measure, but fair consideration and relief should be given me. The consequence of this determination was to confirm the Indians in their course, as will be found further on. Mr. Superintendent Powell, having, within the past month or so, personally seen it, is now aware (November, 1879) that the Indians have my land 'compactly enclosed.'"

I will now read from a report dated 18th October, 1877, by Superintendent Powell to the hon. the Superintendent General of Indian Affairs :

"Reserves.—Between Comox and Victoria the scarcity of land not owned or taken up by white settlers I believe prevented the Commissioners from adding materially to the cultivable extent and value of existing reserves though, in some instances, by adding woodland, they have been made much more satisfactory than before.

"At Cowichan some disagreeable instances of Indian encroachment of long standing still exist, which are regarded with anxiety and alarm by white settlers, and no doubt will soon have to be settled in some way to prevent further trouble."

On that statement Mr. Munro thus remarks :

"My land was at their disposal on fair terms. My land has never been out of the possession of the Indians. It has always been claimed by them as part of their reserve, and as such it is held by them to this day, notwithstanding all efforts to turn them off."

I will read from a letter dated 27th September, 1877, written by H. Fry, Esq., J.P., Cowichan, to Indian Superintendent Powell :

"His (Mr. Munro's) two sections 15 and 16, range 7, Quamichan, are between the Indian reserve of Quamichan and Somenos, and have long been squatted on by Indians who boldly claim the land, although they have repeatedly been told that it is not theirs. This is the place about which Mr. Sullivan was sent up about some years since. The land is fenced in, and there are several buildings on it, one a very large one, and a portion under cultivation. I should say there are improvements to the value of several hundred dollars put on by Indians, many quite lately, since the Commissioners were here.

"I regret, in common with every white settler here, that nothing was done by the Commissioners when they were here last spring. Their attention was called to the matter, but they said they had nothing to do with putting Mr. Munro into possession of his property, and now the Indians are bolder than ever. \* \* \* I have not seen them (the Indians), nor do I think it advisable that I should. Some very energetic measures will have to be taken, and until what course is decided on it is as well to leave them alone."

Mr. Munro comments on that letter as follows :—

"They claim and hold it as part of the reserve. It has never been out of their possession.

"The Commissioners did nothing beyond assigning to the Indians part of my land as a grave-yard. The whole question has been left entirely unsettled as it was. The reasons, if any, for this are difficult to comprehend.

"In their report the Commissioners say simply that their views were altered, and that they had determined on ignoring the Indian possession altogether.

"In another report they say that the Indians should be turned off, regardless of all consideration and consequences; while admitting elsewhere in the same report, that the Indians had made considerable improvements, having built houses on and cultivated and fenced portions of the

land, thus increasing the difficulty and hardship of removing them, and that the attempt to do so may cause trouble and perhaps bloodshed."

In a letter dated 3rd March, 1879, T. J. Skinner, Esq., J.P., Cowichan, to A. Munro, writes:

"I do not know if you are aware that an old Indian graveyard on your land was, last summer, staked off by the surveyor, under orders of Indian Commissioner, as their reserve."

Now, Sir, I will read a general statement made by Mr. Munro:

"The purchase was made originally with the view of the land being settled on and occupied as a farm, not by me, but by a family then desirous to come from Scotland for that purpose. I did not know until afterwards that the Indians had any claim upon it, that they had not consented to its sale, or were opposed to its alienation from themselves.

"In consequence of their determined hostility (which continues to this day) it became necessary ultimately, at no small loss and inconvenience, to abandon the hope of the land being occupied by those for whom it had been intended.

"Thereupon I had to relieve them from the purchase, and to assume the whole risk and burden as my own, ever since then paying the yearly taxes and other expenses, which now, in the aggregate, amount to a considerable sum, and having, besides, a great deal of trouble and anxiety about the matter from first to last.

"By my own exertions, and through the instrumentality of the proper authorities from time to time, I have, during the whole period, done all in my power to obtain possession of the land, or fair compensation in lieu of it, but without success hitherto; and thus I have been wrongfully deprived all these years of both the land and the money paid for it.

"Had I undisturbed possession (which, however, seems to be unattainable) I could have sold the land; but the opportunity of selling has been lost repeatedly, for no one will purchase such a disputed title.

"It is needless to recapitulate the facts given in the accompanying memorandum. In the face of them all it must be evident that the Indians had sufficient grounds for defending their property, that they have complete possession, and have made extensive improvements; that it would be very difficult, as well as a hardship and injustice, to remove them; and that if the attempt be made they will again strenuously resist it—eventualities all demanding the most serious consideration of the Government.

"In these circumstances, the wonder is, that the Commissioners did not, as they might so easily and properly have done, arrange this important question amicably. Clearly from their own statements they were about to do so, but, for some insufficient cause, their 'views were altered' and they 'determined to ignore the Indian possession altogether,' at the same time ignoring my helpless position, and allowing me to be the sufferer. This was, no doubt, for the Commissioners, the easiest and simplest way of treating the difficulty. But was it commendable in them to leave so grave a matter unsettled?

"The reasons for this 'alteration of views' on their part, so far as explained in their Reports, were, it must be said, sentimental and evasive rather than weighty.

"The question of a settlement or no settlement by peaceable means, is not, however, and should not be, a matter of little consequence to the country, the Government, or myself. It is really more than a matter of sentiment, theory or caprice on the part of one or two of the Commissioners.

"Undisturbed possession cannot possibly be had in defiance of the Indians. If, regardless of the difference between right and wrong, they should be forcibly expelled without consideration for their rights and property, they will assuredly re-enter and retaliate at the first opportunity, and a continuance of force will thus be indispensable to keep them in subjection. But this (to say nothing of its general unsatisfactoriness) would be a costly process, many times more so in all probability than would be an honorable settlement by peaceable means.

"Instead then of recklessly going to extremities that, besides being costly, would probably end in 'bloodshed' as the Commissioners forecast, would it not be infinitely better, in every view, to do promptly what the Commissioners, when under the guidance of their better judgment, were about to do 'as expedient to the settlement of the whole question' (using their own language)—but from the doing of which they weakly allowed themselves to be diverted—viz., to redeem the land by a fair reimbursement of my outlays, and then magnanimously give (confirm) it to the Indians, or make it otherwise beneficial to them, as they be most advisable?

"Such a settlement of the difficulty (essentially fair to all parties) is the only one that can reasonably be expected to be either permanent or satisfactory; while the alternative of expulsion and repudiation of Indian rights, if adopted, must lead to a disgraceful and disastrous failure.

"There would appear to be only the two alternatives—either to give me unmolested possession of the property (which is clearly impracticable, looking at all that it involves) with fair compensation for the loss already sustained by my exclusion from it for so many years, or to redeem the land by reimbursing my outlays upon it with interest at a moderate rate.

"It is to be hoped that the more humane and reasonable alternative will prevail.

"Respectfully submitted by  
"ALEX. MUNRO."

"Victoria, B.C., 29th Nov., 1879."

I have some further correspondence that I will read to the House:

"Hon. J. W. Trutch,  
"Esq., &c., &c."

"VICTORIA, 14th September, 1880.

"DEAR SIR,—Having been informed that instructions have been sent here by the Dominion Government (Indian Affairs Department) for a conference between the Provincial Government, yourself, and Superintendent Powell, with a view to a settlement of my claim in regard to land at Cowichan purchased and paid for by me, but which is occupied by Indians, I beg to inquire respectfully whether any instructions have been received by you, and if so, when the conference is likely to be held or a settlement made.

"The nature of the case and the delay that has already occurred will, I trust, be a sufficient excuse for my troubling you about it.

"I have the honor to be,  
"Your very obedt servant,  
"ALEX. MUNRO."

To this Mr. Trutch sends the following reply:—

"VICTORIA, B.C., 14th September, 1880.

"SIR,—I am directed by Mr. Trutch to acknowledge the receipt of your letter to him of this day's date, and to state that Mr. Trutch has already conferred on the subject matter of this letter with the Indian Commissioner, Dr. Powell, and with the Chief Commissioner of Lands and Works of this Province, the Hon. Mr. Walkem, but he is not aware of any authorization having been issued by the Dominion Government for the settlement of the case.

"I have, etc.,  
"H. S. ROSSUCK,  
"Secretary."

Mr. Munro then addressed a letter to Lieut.-Col. Powell, Indian Superintendent at Victoria:

"VICTORIA, 16th September, 1880.

"DEAR SIR,—In answer to inquiries made concerning the delay in settling my claim with regard to land in Cowichan occupied by Indians (heretofore brought under your notice). I have been informed by a letter dated the 2nd ult., from Mr. Vankoughnet, Deputy Superintendent General of Indian Affairs, to Mr. DeCosmos, that 'on the 20th of February last instructions were sent to Victoria, B.C., for a conference to be held on the matter between the Local Authorities, the Agent of the Dominion Government, and the Indian Superintendent at that place, with a view to a report being furnished this department on the subject of Mr. Munro's claim,' and that as no report had then reached the department 'a letter was addressed on the 26th ult., calling attention to the previous communication on the subject and requesting an early reply.'

"In these circumstances I beg to inquire respectfully whether those instructions have been received by you, and whether, if the conference has been held a report has been or will soon be furnished to the department as requested. I am, of course, anxious that this matter, which has hitherto put me to serious loss and trouble, be brought to a settlement without further unnecessary delay, and hope you will excuse the present application.

"I have the honor to be,  
"Your very obed. servant,  
"Lieut. Col. Powell,  
"Indian Superintendent,  
"Victoria."  
"ALEX. MUNRO."

Mr. Powell replies as follows:—

"INDIAN OFFICE,  
"VICTORIA, B.C., 16th Sept., 1880.

"SIR,—I have the honor to acknowledge the receipt of your communication of even date, stating that you had been informed that 'on the 20th of February last instructions were sent to Victoria, B.C., for a conference to be held on the matter between the Local Authorities, the Agent of the Dominion Government, and the Indian Superintendent at that place, with a view to a report being furnished' the department on the subject of your claim; also, that a letter was addressed on the 26th ult., calling attention to the previous communication and requesting a reply.

"In reply, I have to state that no instructions from the hon. Superintendent General, in regard to the subject of your letter, have, as yet, come to my hand, no conference has therefore, so far as I am aware, been held upon the matter, and hence no joint report has been, up to the present time, furnished the department in the manner referred to in your letter.

"I have, etc.,  
"J. W. POWELL,  
"Indian Superintendent."

Mr. Munro then addresses the following letter to Mr. Trutch:—

"VICTORIA, B.C., 17th September, 1880.

"SIR,—I have the honor to acknowledge the receipt of your letter of the 14th inst., in answer to mine of the same date.

"As you inform me that you have conferred on the subject in question with the Hon. Mr. Walkem and with Mr. Superintendent Powell, I beg to

inquire whether it is your intention to make a joint report with those gentlemen at an early date, as seems to be expected at Ottawa, and whether, if so, or in the event of your reporting separately on the case, the purport of the report will be communicated to me.

"I need hardly say that this long-standing difficulty is of not less public than private import, and that in view of the serious loss and trouble it has so long inflicted on me personally, I am anxious to have it properly settled without unnecessary delay.

"I have the honor to be

"Your obedient servant,

"Hon. J. W. Trutch,  
"Agent Dominion Government, etc., etc.  
"Victoria."

"ALEX. MUNRO."

Mr. Roebuck replies:

"VICTORIA, B.C., 17th September, 1880.

"SIR,—In reply to your further letter to Mr. Trutch in reference to your land at Cowichan, I am directed by Mr. Trutch to state that he has not been directed to make a report on this subject conjointly with the Superintendent of Indian Affairs and the hon. the Chief Commissioner of Lands and Works, and that he is not in a position to communicate to you the opinions he has formed upon the questions involved.

"I have to add that Mr. Trutch sincerely regrets the loss and trouble you represent your having suffered in this matter, and that it would give him great satisfaction to be able to assist in a settlement of this long standing difficulty, but that he does not exercise any executive functions in relation to the Department of Indian Affairs in this Province.

"I have, etc..

"(Signed) H. S. ROEBUCK,  
"Secretary."

Mr. Munro also addressed the following letters to me:—

"VICTORIA, B.C., 30th August 1880.

"Hon. A. DeCosmos, M.P.,  
"Ottawa."

"DEAR SIR—Since writing and telegraphing you on the 9th ultimo in response to your favor of 23rd June, I have received your telegram of the 6th inst., and several notes dated 17th and 25th July and 6th inst., the latter enclosing Mr. Vankoughnet's letter to you of the 2nd idem, all regarding my unfortunate Cowichan land business, and I beg to thank you warmly for your kind attention and promise of future advocacy if necessary.

"I fear there will yet be occasion to trouble you before the matter is settled. You will have observed from Mr. Vankoughnet's letter that, in so far as he is concerned, the business is no further advanced than it was at the beginning, that is to say, he disputes the claim as agent of the Dominion Government, and wishes to throw it on the Province. How the gentleman can thus 'go back' on all that has been written, said, and done, I am at a loss to understand, seeing that you yourself, last year, and Mr. Walkem, early this year, were personally assured by the chiefs at Ottawa—as the result of it all—that the claim would be settled immediately in the way you both recommended, convinced as they were of the justice and expediency of this under the exceptional circumstances of the case.

"In again raising, in the face of this, the point put forward in his letter, Mr. Vankoughnet seems to overlook the essential fact that this is not a question merely as to the obligation of the Province to furnish the Dominion Government with a certain quantity of land for the use of Indians, but is the far more grave and difficult question of depriving Indians of a particular piece of land which they claim as a valuable part of their reserve, and which has never yet been out of their possession notwithstanding repeated efforts (short of actual violence) made to remove them.

"Mr. Vankoughnet says that, so far as he can see, my claim should be against the Local and not the Dominion Government. The Local Government think differently. Their reasons have been explained by Mr. Walkem and yourself at Ottawa to the satisfaction of Sir John Macdonald as Superintendent General of Indian Affairs, and thereupon the Premier, at different times within the past 18 months, gave both yourself and Mr. Walkem to understand that the claim would be settled in accordance with your views of it. Clearly, it is a case for the Governments to settle. It is not right to keep such a matter in suspense for years, neither is it right nor creditable, after what has transpired as stated above, that the question of responsibility should still be open to dispute, if it really be so.

"Though not a little surprised and disappointed at the present state of matters, I shall at once wait on the Executive and the Indian Superintendent here, for the purpose of urging them, as earnestly as I can, to move effectually. I acquainted you, at the time, that the Superintendent himself, so lately as last October, on returning from Cowichan, acknowledged to me in the fullest manner that the Indians were 'completely in possession' of the land. What is wanted? Surely not a conflict with the Indians, which, besides being expensive to the Dominion, would be otherwise unsatisfactory and reprehensible; for, to quote the language of the late Indian Reserve Commissioners in their official reports to the Government, the land in question 'cuts directly into the general reserve. The Indians have made considerable improvements on the land, thus increasing the difficulty and hardship of removing them, and it is possible that the enforcement of the law (any attempt to remove them by force) may cause trouble and perhaps bloodshed.'

"I need not say any more at present, but beg to refer to my memorandum of 29th November last, a copy which I had the pleasure of handing to you here.

Mr. DeCosmos,

"On ascertaining the result of my intended application to the Government and Indian Superintendent, if not sooner, I shall avail myself of your permission to write again. Meantime, apologizing for this trouble, and again thanking you for your kind assistance which, I beg to assure you, is highly appreciated.

"I remain, dear Sir,

"Yours faithfully,

"ALEX. MUNRO."

"VICTORIA, B.C., 20th September, 1880.

"Hon. A. DeCosmos, M.P.

"DEAR SIR,—With reference to my letter of 30th ult., I now beg to say that I have since had several interviews on the subject with the Hon. Messrs. Walkem and Beaven and Mr. Superintendent Powell, and with the latter gentleman and Hon. Mr. Trutch I have also had some correspondence, copy of which is enclosed.

"I have done all I possibly could in urging these several parties to deal effectually with the case, but to little purpose, I am sorry to say, in consequence of not having been able to trace the instructions which Mr. Vankoughnet, in his letter to you of 2nd ult., says were sent here under date 20th February and 26th July last. Unfortunately he does not state to whom they were addressed—saying only that 'on the 20th February, instructions were sent to Victoria, B.C., for a conference to be held,' etc., etc., and that as no report has reached the department, 'a letter was addressed on the 26th inst. (July), calling attention to the previous communication and requesting an early reply.' These instructions have not reached the Local Government or Superintendent Powell, as you will see by the Superintendent's letter enclosed. From Mr. Trutch's letter it would be seen that he does not say whether any instructions were received by him or not, although I made the inquiry.

"In the circumstances the members of the Government and Superintendent Powell have felt themselves powerless to do anything. Mr. Trutch has probably, on some occasion, mentioned the matter in a casual way to both parties separately, but it seems that there has not been any 'conference' held on the subject, and consequently there is no report forthcoming, in accordance with the instructions quoted by Mr. Vankoughnet. Undoubtedly Mr. Trutch has reported alone or will do so.

"If therefore (notwithstanding the previous resolution to settle the case, come to by Sir John Macdonald first with yourself in 1879, and subsequently with Mr. Walkem in 1880), a joint conference and report be really wanted, definite instructions to that effect should be issued immediately to each of the parties. If Mr. Trutch has reported, or prefers to act separately, the other two gentlemen, viz., Messrs. Walkem and Powell, will, no doubt, readily confer and report, either conjointly or separately, on being requested to do so.

"It is not for me, I think, to discuss the argument now mooted by Mr. Vankoughnet, side by side with the 'instructions for a conference and report,' viz., that, as my payment was made to the Local Government, and as that Government is under obligation to furnish all the land required for the use of Indians, therefore my claim should be against the Local Government.

"If it be really necessary to traverse that ground again, yourself and Mr. Walkem are far more capable and competent to do it. But I am still under the impression that this has already been done conclusively, and that it was after full consideration of the exceptional circumstances of the case that Sir John Macdonald agreed with both you and Mr. Walkem to a settlement of it—some of those considerations being, that when the transaction took place this Province was a Crown Colony; that under the present altered Constitution it would be a complicated and difficult, not to say impossible, process to obtain re-payment; and that the alternative of ejecting the Indians by force, in order to give me quiet possession of the land (an attempt which, according to the opinion of the late Indian Reserve Commissioner, expressed in an official report, 'might cause trouble and perhaps bloodshed') would be not only undesirable, but also a costly duty devolving on the Dominion Government, which it would be, on the whole, most advisable to obviate by discharging my claim on the reasonable footing proposed.

"As pointed out in my last letter to you, it should be carefully remembered that this is not a question as to the Province furnishing a little more or less land for Indians, but that it is the very different question of depriving Indians by compulsion of a particular piece of land on which they have made considerable improvements in buildings and fencing, &c.; which they prize as a valuable part of their reserve; and which has never been out of their possession, notwithstanding repeated efforts—only short of actual force—made to remove them, all as shown in former correspondence.

"Will you kindly do the useful in this apparently interminable troublesome matter, and if possible induce the Government to take an earnest practical view of it, and come to a final decision? The delay, as you well know, is injurious in many ways, and not to me only—is so, for even in Indian estimation, it is a disadvantage and is irreparable to all concerned to have such a dispute with Indians so long unsettled.

"I am, dear Sir,

"Yours faithfully,

"ALEX. MUNRO."

I have been induced to ask the indulgence of the House in order that this matter may be placed where it can be readily reached by hon. members. The very lengthy correspondence that I have read, gives a clear idea of the grievance of Mr. Munro. I will state that

about two years ago the Deputy Minister of Ontario, the Deputy Minister of Justice and myself, had a conversation about this matter, and it was understood the Government would pay Mr. Munro what was considered value for his land. When Mr. Walkem was here last year an arrangement was made by the Minister of the Interior that Mr. Walkem, Superintendent Powell and Mr. Trutch, Indian Agent, should report on the case for the information of the department. Dr. Powell says that no instructions were sent to the department here, and he denies there was any conference on the subject, though Mr. Trutch asserts there was. Mr. Vankoughnet says he referred the matter to Dr. Powell in February, and in August. Mr. Trutch made a separate report, I am informed. I asked Mr. Vankoughnet if such a report was sent in with reference to Mr. Munro's claim. He told me it had. I asked then to see it. He said he could not let me see it without the permission of the Minister. So I was unable to see the report. On October 16th last, I believe, I received from Mr. Vankoughnet, on behalf of Mr. Munro, a letter stating that the Superintendent of Indian Affairs had instructed him to say that Mr. Munro's only course was to assert his right in a Court. That is the last official communication respecting this matter that has come under my notice. Now, Mr. Munro has fairly stated the case as to the danger of using force to recover his land; and I may draw the attention of the House to the fact that the Indian nation interested in the matter number 38 tribes, with a total number of 2,964. In case force was used, an Indian difficulty might arise, entailing serious results. The Indians are spread over the country from Fuca straits to North of Nanaimo, 140 miles, and along the coast, from Westminster to near Bute Inlet, 150 miles more. I think that the only course the Superintendent General of Indian Affairs can pursue, in order to do justice to Mr. Munro and not irritate the Indians, would be to purchase this land, pay the price Mr. Munro paid for it in 1859, and, give him a moderate interest on the amount for the intervening period. If that were done the Government need not pass the land to the reserve, but might compel the Indians upon it to pay rent for it equal to the interest of the purchase money paid to Mr. Munro.

Sir JOHN A. MACDONALD. I suppose my hon. friend and colleague from British Columbia, who has felt it his duty to move in this matter, in the interest of Mr. Munro, will be satisfied, after having made his explanations, to leave it before the country and the House. The report of Mr. Trutch is of a confidential nature, and cannot be brought down. The object of the Government in engaging his services, was to secure a confidential report with reference to all Dominion interests in British Columbia. It would destroy his influence if his confidential report were laid before the House. But all the reports made by the head of the department and the chief executive officers will be brought down. I take it that the object of my hon. friend's motion was merely to lay Mr. Munro's case before the House. His case is simply this: Twenty-one years ago Sir Jas. Douglas, then Governor of British Columbia, sold Mr. Munro this lot, which he found an eligible one, and for which he paid. Everybody knows that Sir Jas. Douglas was thoroughly conversant with the rights of the Indians on the Island and the mainland. He must have been satisfied that this lot which he sold belonged to British Columbia, and that he, as representative of the sovereign, had a right to sell it. At that time there was no pretence that the Indians were squatting upon it. Munro might have gone into possession of the lot, but did not. He may have bought it for another, or may not have liked to occupy it, on account of the proximity of the Indians.

Mr. DECOSMOS. The person in Scotland for whom it was purchased did not come out at all.

Sir JOHN A. MACDONALD. Well, then, the Indians squatted on it, and now he claims that we should expel the

Indians and pay him what he paid 21 years ago. interest besides, and all the expenses of travelling and so forth. The Commissioners appointed to consider the claim reported as my hon. friend (Mr. DeCosmos) has read, that the Indians had no case, and that Munro had no case and should be left to assert his remedy in Court. The matter came before my predecessor, the Minister of the Interior, who upheld that report, and came to the conclusion that, if Munro's title-deed gave him the land, all he had to do was to attest his rights, that if the British Columbian authorities sold that land when it really belonged to the Indian reserve, it was for the British Columbians to reimburse Munro his expenditure in connection with land they had no right to sell. That was the position of the matter when I came into office. My Commissioners reported that Munro had a right to recover the land under his deed, and should be left to his legal remedy. It was, however, represented to me by my hon. friend and Munro that there would be a collision with the Indians if legal proceedings were taken to expel them from this farm, and, possibly, bloodshed. Of course, all will agree that that result was to be avoided by every possible means. After discussing the subject with Mr. Walkem, I asked him to look into the matter, to confer with Messrs. Powell and Trutch, in the first place, and ascertain whether the Indians really had any original claim to this farm as an Indian reserve; to see if it was the duty of British Columbia to compensate Munro for the loss of his farm, and if, on the other hand, there would be danger of an angry collision with the Indians if that land was taken from them, and if the Indian reserve was insufficient. It seems that the Indians not only squatted upon it, but made it an Indian graveyard; and it is known that they pay great respect to the resting-place of their relatives. Mr. Walkem was asked to consider, in fact, whether the Indians ought to get this land, or were restricted in their reserve. If that should be found the case, I would not hesitate to come to Parliament for a grant to pay Munro a reasonable price for his land, and supposing it to be in the public interest to buy it and add it to the present Indian reserve. I would therefore suggest that these gentlemen should meet, and I think that really the Province of British Columbia has no intention or desire either of maintaining the title of Mr. Munro, or of compensating him for it, if it should be proved that it belongs to the Indians. Mr. Munro, however, by making this enormous claim is in fact defeating his own object; but if the land is his he has a right to appeal to the Courts there, and it is the bounden duty of the Province of British Columbia and of the Courts there to give him his land. If, however, after the whole matter is discussed, the conclusion should be come to that it would be best all round that the Dominion should buy the land and add it to the reserve, the land would have to be acquired at its present value, and not by going back and paying interest for a period of twenty-one years.

Mr. DECOSMOS. You would gain by going back.

Sir JOHN A. MACDONALD. I must say I have my doubts about land in the Cowichan Valley being worth \$15 per acre. I do not think the hon. gentleman (Mr. DeCosmos) would care to invest in very much of it at that price. The late Minister of the Interior, I may say, came to the conclusion that the report of the Commissioners was correct, and I came to the same conclusion. At the same time I will follow the matter up, and if I find that this land should be bought for the sake of peace, and that the Indians really want to acquire it as is strongly alleged by those who attend to the interests of the Indians. I should not hesitate to come to Parliament and ask for the amount necessary at a reasonable valuation of the land.

Mr. BUNSTER. I am surprised to hear the member for Victoria (Sir John A. Macdonald) express a doubt that the

land in the Cowichan Valley is worth \$15 an acre. His statement simply shows his want of information; and I, as a member from that part of British Columbia, cannot allow such a wholesale misrepresentation of the lands in the Cowichan Valley to pass unnoticed.

Mr. ANGLIN. How many acres are there?

Mr. BUNSTER. Considerable. Not being a surveyor, I cannot tell the hon. gentleman exactly; but I wish to tell the hon. member for Victoria (Sir John A. Macdonald) that there are lands there as well worth \$100 an acre as one dollar is worth another.

Sir ALBERT J. SMITH. How many acres are there?

Mr. BUNSTER. About 200. There is plenty of land in that valley which you cannot buy for \$10 per acre, and upon which the proprietors are making far more than the interest on that amount. There are many of our industrious farmers who make from \$40 to \$50 an acre upon their lands, and that simply by their own labor, without counting the cost of extra help. I am surprised and sorry at the remarks of the First Minister, and I only hope that he will come out and see our country for himself, so that he may be able to form correct judgments about it.

Mr. DECOSMOS. I take it that this Parliament employs the Ministry to do its work, and I think that Parliament has a right to require reports of any business which the Ministry may transact—and especially a departmental matter such as this one is. From the manner in which the First Minister has spoken of the character of Mr. Trutch's relations to the Government, we must infer that Mr. Trutch has been sent out to British Columbia as a spy, with a view of his prying into any little matters which may happen in that Province, and reporting to the Government thereon. I think it would be better for the Government to appoint honest, capable and responsible men as its officers, so as to do away with the necessity of appointing a person as a spy upon matters which may happen there and then to report to the Minister, without one being able to see his reports. I certainly condemn all such arrangements, and upon a motion upon which I intend to speak at a later period, I shall take occasion to speak a little more plainly and a little more fully upon the matter. If, however, the hon. Minister will say that he will send out instructions to Mr. Walkem and Mr. Powell to hear evidence upon and examine into the whole question and report upon it, the matter will be advanced one stage in the right direction. But I certainly do not feel disposed to withdraw the motion, especially in face of the fact that Mr. Vankoughnet wrote a letter to me on behalf of Mr. Munro, which was really based on the report which I now ask shall be brought down. And now we have the statement made by the head of the department, who has charge of Indian affairs, to the effect that Mr. Munro should have recourse to the Courts of law, and there assert his right before the House can get a document on which the letter I have referred to was based, on the instructions given by the hon. Minister, I, for one, protest against such proceeding, and I shall continue to do so until the time arrives when I shall see spies and confidential reporters on behalf of the Government driven from the shores of British Columbia. So far as the remarks of the hon. Minister about the price of land in the Cowichan Valley are concerned, Mr. Munro has no objection to referring the question of price to competent judges or arbitrators. I may also remind the hon. Minister that I presented a certificate from two responsible land agents stating that they could sell the land at \$15 per acre, and I know myself that the land in question is as good a piece of land as there is in that part of the Province.

Hon. MEMBERS. Withdraw.

Mr. BUNSTER,

Sir JOHN A. MACDONALD. I hope my hon. friend will consent to withdraw his motion. I regret that he should have used the language he chose to use with respect to Mr. Trutch, a gentleman who is respected by everybody who knows him—a gentleman in the best sense of the word. On account of his experience and his interest on the subject, we sent him there as a confidential agent with respect to various great interests which the Dominion have in that Province. My hon. friend has himself been a Minister, and he knows that the confidence in such cases is what gives value to the report, and that such a person can give valuable confidential information to a Government—information which would be valueless, but that it is confidential. Such reports are for the purpose of supplying information upon various interests free from the possibility of its being afterwards properly or improperly used by persons whose interests might be affected by those reports. Of course the Government are responsible for all their acts, no matter under what advice, and the Government must assume the responsibility in the present case. I hope, however, the hon. gentleman will not press his motion.

Mr. BLAKE. While I agree with the hon. gentleman upon the question that a Government may, upon proper occasions, employ a confidential agent, still it seems to me that his general proposition is one which is open to considerable observation. If it is understood that they have a gentleman employed in the public service in British Columbia, who is to act as confidential agent with reference to all things which may take place there, to receive confidential instructions from the Government, and make confidential investigations and reports of them, I think that is new machinery to our system of government altogether. As to the particular subject in hand, which has been exposed to us at great length, and with much lucidity, by both the hon. members for Victoria, I really fail to apprehend what there could be confidential in the nature of their report. You find various reports from various public officers, and you find the matter in dispute stated, and why we should have these high questions of confidence and non-confidence, and secret communications, with Mr. Trutch's opinion on the question, one fails to understand. One is much indisposed to question a statement made by the Government if it is not in the public interest to be brought down; but when that statement is made as the hon. Minister now makes it, because he has got a confidential officer there, and all these reports must be secret, then I must say, it seems to me to be rather extraordinary. I did not know we had any such officers in our service, unless they be attached directly or indirectly to the Excise Department.

Sir JOHN A. MACDONALD. We will not enter into the general question just now, but I will just mention to the hon. gentleman one reason why this report should not be brought down: it is because this report brings up to a considerable degree the delicate question of the relations between the Indians and the Government in British Columbia.

Mr. MACKENZIE. That is all settled.

Sir JOHN A. MACDONALD. No; it is not, unfortunately.

Motion withdrawn.

#### TELEGRAPH LINE FROM NEW WESTMINSTER TO YALE.

Mr. BLAKE moved for the advertisements for tenders for the building of the telegraph line from New Westminster to Yale, copies of the tenders received therefor, and of the written action thereon; also, for copies of any reports by, or letters from, Mr. Gisborne, Inspector of Dominion Telegraphs, or Mr. Wilson, or any other officer, on the subject of that telegraph line; also, for copies of any papers

connected with the arrangement under which it was constructed, and a detailed statement of the cost, with the names of the persons employed, their residences at the time of hiring, and the sums paid to them for travelling expenses and wages during their journey; also, copy of the contract for the poles; also, copies of any letters or reports as to the line since its construction disclosing its defects; like papers with reference to the telegraph line from Point Atkinson to New Westminster. Also, all letters and papers with reference to the break in the telegraph cable in British Columbia, its attempted repair, the arrangements for a ferry to replace it and the cost thereof. He said: The information which I have received on this subject, and which induces me to make this motion, is to the effect that tenders were invited by the former resident engineer in British Columbia, for the construction of a line from New Westminster to Yale. Two tenders were received, one at \$26 a mile, and the other at \$28. Subsequently the Inspector of Dominion Telegraphs arrived and went over part of the line, and condemned the system of letting it by tender and determined to adopt another course. In pursuance of that other course, during the winter, the contract was let to one Ryder to furnish the poles, the number being much in excess of the number required, thirty-five poles to the mile I believe, while twenty-seven was the proper rate. Instead of carrying out the arrangement for letting by tender an arrangement was made whereby Mr. Gisborne, jun., and two more persons residing in the Maritime Provinces, were employed and sent all the way out from the east unto the west, at a very great cost to the Administration, to do this work by job, they being hired for a certain time to do this and some other work. The transaction is said to be not satisfactory, pecuniarily or otherwise. The work was very expensive, and while it was to have been done in two months, it took five months. It was unsatisfactory as to the location, in some places it was put up at points where the poles were washed away by high water. Then not merely were the poles placed too close together, but the wire was strung too tight, the result was that it was broken, I am told, in hundreds of places when the frost came. Considerable expense was incurred in repairing the breakage, and this expense will continue until the wire is slackened. The same gang of men was employed to build the line from Point Atkinson to New Westminster, and that also was done much more expensively than was necessary. With reference to the cable, it is said there was considerable mismanagement in the laying of it. It would seem, from a statement I have, as well as from a public statement, that the cable was not laid at the proper time, and that it must have been either badly laid, or there must have been a short supply. It is said that operation is also extremely unsatisfactory. I do not vouch for the accuracy of all these statements, but I give them as they were made to me from, I believe, a reliable authority. I consider they furnish sufficient justification for this motion, and require some explanation.

Mr. LANGEVIN. Of course, I was not aware of the details which the hon. gentleman has just laid before the House. I endeavored to obtain information on the subject of his motion, but unfortunately the officer on whom I relied to give me that information was so ill as to be unable to furnish me with it. The other officer, Mr. Gisborne, was in British Columbia attending to this matter, and could not give the information. As in the case of other public works, there may have been some difficulties in the way. The cable laid in the Straits of Georgia was found to be too short, but the end was buoyed up, and the matter is now being looked into, and I have no doubt that before long a cable will be laid across those straits. With regard to the repairs on the line near New Westminster, the officer there, Mr. Wilson, I think, enjoyed specially the confidence of

Mr. Gisborne, the head of the branch of the department, and when the papers are brought down the hon. gentleman will see that the pay of that officer is small compared with the services he has performed. Of course, I do not know the hon. gentleman's source of information. Persons dissatisfied because they did not obtain employment may have made complaints to his correspondent. But I am very glad the hon. gentleman has given me this opportunity of making this statement, and before the Estimates are passed I hope to be in a position to give him more detailed information which will satisfy him that all possible precautions were taken to save the public money.

Motion agreed to.

#### SPECIFIC GRAVITY OF COAL OIL.

Mr. BLAKE moved for copies of all correspondence, statements and representations upon which the Government acted in proposing the legislation of 1879 and also the Legislation of 1880, as to the specific gravity of coal oil used for illuminating purposes; and for copies of any correspondence, statements and representations on the subject of the operation of either of the said Acts, and any suggestions received as to the amendment of the present Act in that respect. He said: There are, at least, four ways in which the people of this country have been vexed in regard to their light. There is a duty on crude petroleum, there is a duty on the refined article; and there has recently been a modification of the safety test, with regard to which there is a question whether it was not framed so as to give a further advantage to the producers of Canadian oil over the producers of American oil. The fourth circumstance which affects the price of coal oil is a provision which appears to have slipped into the Statute-book unnoticed. I was not in the House in the Session when it was first enacted. I have looked, however, at our journals and the official debates, and I have found that the resolution on which the Bill of 1879 was introduced and the speech of the then Minister of Inland Revenue, Mr. Baby, had no reference to a prohibition to sell or use for illuminating purposes oil exceeding a certain specific gravity. On the contrary, the report of his speech shows that it was designed to make the test of flashing for the safety of burning oil, and the test of specific gravity is in relation to quality. But it got into the Bill without debate or comment of any kind that I can see. I recollect very well the circumstances attending the measure passed last Session. There was a considerable amount of investigation going on during the Session on the subject of the flash test. A motion was on the paper by the hon. member for Stanstead (Mr. Colby) from an early period. There was an indication on the part of the Administration that they were about to propose a modification on that subject, and towards the end of the Session, when it was exceedingly difficult to discuss anything, resolutions were brought forward. These resolutions did not themselves deal with the subject of specific gravity; but in the Bill, which, if I remember rightly, was read the second time, committed and read the third time, in the space of five minutes, a clause was introduced altering the law as to specific gravity. Whereas the Act of 1869 had provided that no oil should be sold with a specific gravity exceeding 807, the law so changed provided that no oil should be sold with a specific gravity exceeding 802. The consequences of that change were extremely serious. First of all, I inquire why illuminating oil is prohibited from being sold if it exceeds a certain specific gravity. From what I have heard in this House, or from the oil refiners themselves, I conclude that the safety of the oil has no relation to the specific gravity. It is a test, I understand, simply of quality, not of safety. Why, then, should we prohibit the public from obtaining an oil, inferior in illuminating quality

if you please, but perfectly safe? It is contrary to the general principle on which it is proper to act with reference to staple commodities. We do not, as a rule, prohibit the public from acquiring what they wish to acquire, unless the public safety requires that there should be a restriction. The public safety does require a flash restriction, and the question is, what is the proper flash test? But the safety of the public does, in no sense, as far as I can ascertain, require this test of specific gravity. You are extending without cause the principle, and extending it in a manner which, I think, is wholly indefensible. What is the consequence of this extension? The consequence is that you are wasting a very great proportion of the crude oil, and you are increasing the expense of producing the refined oil. Our oil is naturally dense, much denser than the American oil. I have learned from refiners that it has been found extremely difficult to refine the oil up to the point of 820; not unfrequently does it require a second, perhaps a third refining, in order to get it to the point. The transaction involves, in the first place, a waste of a very considerable proportion of the crude oil, so that where out of a barrel of crude so many gallons of fair illuminating oil can be obtained, if you do not apply this prohibition, the yield will by virtue of the prohibition be reduced by several gallons. Secondly, it involves considerable additional expense in manufacture to produce oil of a gravity of 802. Therefore, as to quantity and expense of production, the legislation requires that more crude oil shall be used, and that greater expense shall be incurred by refiners to produce illuminating oil than is necessary. Were the Government to apply the principle of the General Inspection Act of 1874, and have illuminating oils inspected and graded, first, second and third class, the public would be protected; but it is wholly indefensible to prohibit the sale of that which may be useful to the public, and both diminish the quantity of refined you can get from a barrel of crude oil and increase the cost of producing refined oil. For these reasons I desire to know the true inwardness of this law, to know upon what representations the Government was induced to propose such an exceptional provision. I desire this information all the more because I observe in another branch of the Legislature this unfortunate Act is once more before us. A Bill has been introduced there altering again the Act of 1879. Therefore we will have the subject before us in a few days, by which time I hope this information may be made accessible.

Mr. ORTON. The remarks of the leader of the Opposition are very important. I fail likewise to see why this law should exist; I do not see why coal oil should not be graded the same as flour, fish or any other commodity. The effect of this law is no doubt to increase very largely the price of coal oil. I will ask the indulgence of the House while I read an extract from a letter I have received on this subject:

"If you desire to get coal oil at proper prices for the benefit of the consumer, when the Inspection Bill comes up get the clauses requiring it to be of a certain weight 8 lb. and 2-100ths struck out and get it graded like flour, fish, hides or any other inspected commodity. See 37 Vic., c. 48 (1874).

"This gravity business is the last kick of the man who have been running the business for the last eight or nine years, and if upset will, I fancy, effectually stop them.

"I believe Mr. Atkins personally does not approve of gravity, so you have half of the battle won."

I certainly believe the writer is correct, and that the fact of keeping up this gravity test is one of the main elements in keeping up the price of coal oil.

Mr. COLBY. I am disposed to concur in the main with the observation made by the hon. member for West Durham. In the Bill which I introduced on this subject last year I did not think it necessary, in the interest of the public safety, to place any restriction with regard to the gravity of the oil. I proposed simply that a uniform test

Mr. BLAKE.

should be applied, and that test, from the information I could then obtain, I deemed to be sufficient. I have no more information than has my hon. friend as to the reasons which caused the gravity test to be introduced into the Government Bill. It may have been introduced on the representations of skilled persons, that the gravity of the oil, to a certain extent, concerns its safety. It is pretended by many refiners that it does, but I think there should be a broad margin. I do not think we should be prohibited from using oil, simply because it is of a certain gravity, unless it can be shown that it is unsafe. The argument of those who approve of the gravity test is that if the oil does not stand this test, it has a tendency to heat the metal, and consequently to affect the safety of the oil. That may be true to a certain extent. It would be well for the Government, before the Petroleum Act passes, to give special attention to that, and see whether a point cannot be fixed in which safety can be assured; but I think the principle of prohibiting people from using any staple commodity because it is not of the best quality, is an indefensible one. I cannot see any ground upon which it can be successfully defended. Let it be inspected and graded like any other article, if it be advisable, but not excluded.

Mr. MOUSSEAU. There is no correspondence such as the motion asks for. The Government in regard to the gravitation test was inspired, most likely, by three motives: first, the scientific one; next, the safety of the public, and, in the third place, a desire for protection. However, their chief care was public opinion, and if this principle of gravity was proved, as in the flash test, to operate in a manner to injure the public interest, it might be changed, perhaps, in some way. For my hon. friend the leader of the Opposition must know that in the Senate the Bill to secure the flash test in the inspection of petroleum was amended in the Senate, and that at present both American and Canadian oils were placed on a new footing. Later, however, when that Bill comes up in this House, I will be in a position to answer more thoroughly, on the part of the Government, the question which has been put.

Mr. BLAKE. There is no correspondence then to produce?

Mr. MOUSSEAU. No.

Mr. BLAKE. Then I withdraw my motion; but I take this opportunity of intimating that I will move an amendment to strike out the prohibitory clause as to specific gravity when the Bill comes before this House.

Motion withdrawn.

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

#### AFTER RECESS.

#### HARBORS ON THE NORTH SHORE OF LAKE ERIE.

Mr. PATTERSON (Essex), in moving for copies of reports of surveys for harbors made by the late John Lindsay, Esquire, C.E., on the north shore of Lake Erie between Point Pelee Reef and the mouth of the Detroit River, said: For several years past successive Administrations have admitted the necessity of a harbor in the neighborhood indicated by the motion. The subject has been brought under the notice of Parliament from time to time, with the result of the promise that, when the state of the public finances permitted, such a harbor would be created. Two or three years ago a gentleman was appointed as a Commissioner for our inland waters, and he laid before the Minister of Customs a report, which was placed on the Table of this House. In that report it is stated, among other important facts, that during the seven years, ending 1878, 250 wrecks occurred in that section of the lake between Point Pelee Reef and the mouth of the Detroit river, where it is proposed to establish a harbor.

Shipowners, underwriters and others interested in our inland navigation, have forwarded largely signed petitions to the Government, praying for a harbor in those waters. Some have petitioned for the harbor in one place, and some have preferred other places, not a few praying for the selection of Pelee Island. It is not for me to suggest at what place the harbor should be established. The Government have professional men and engineers competent to decide that point. But I think the information obtained on this subject has satisfied the Government of the necessity of such a harbor, and that something ought to be done in the direction desired, not merely in the interest of the people of Essex—because this is not a local question, but in the interest of our inland navigation. At a point where so many wrecks have occurred in so short a time, some protection should be afforded our shipping. I trust that the Minister of Public Works, who, I am satisfied, is desirous of doing all in his power to further the interests of the section from which I come, as well as those of every other portion of the country, will, when the necessary information is procured, see the importance of completing this work, and thereby affording protection to a very large section of our people, the mariners, who navigate our inland waters.

Mr. LANGEVIN. I thank the hon. gentleman for his opinion of my impartiality towards Ontario, as well as every other Province of the Dominion. That opinion is perfectly right. I do not look to the situation of any public work, but only to the requirements of the country. There has been a survey of the coast in question, and a report, I think—at all events there are notes of the engineer—from which I believe we can make out the result of his investigations. I cannot now say what the Government will do in the matter. Likely it would require a large sum to execute such a work. Though the finances of the country have improved largely of late, we cannot undertake in one year every public work that is necessary. We have to make a selection of the works most required. However, the matter will be investigated at the proper time. I have no objection to the motion.

Motion agreed to.

#### RAILWAYS IN BRITISH COLUMBIA.

Mr. DECOSMOS moved for a copy of all reports made by Mr. J. W. Trutch, respecting a railway between Esquimalt and Nanaimo, and between Emory and Burrard Inlet. He said: It is not my intention to dwell at any length on the subject of this motion. It is an important one with respect to the western Province, but I will reserve my remarks upon these two sections of the Pacific Railway until the Estimates are under consideration. We want, however, the reports that have been communicated to the Government by Mr. Trutch, to be laid on the Table of the House, in order that we may intelligently discuss the matter in Committee of Supply. In looking over the report of the Minister of Railways, I do not find a single utterance with respect to these two sections, nor do I find anything in the appendices of the Chief Engineer. Under such circumstances it is quite natural that we should ask for the evidence in the hands of the Government, coming from the special agent of the Government, Mr. Trutch, and I trust the Government will bring it down.

Sir JOHN A. MACDONALD. I have no objection to this report.

Motion agreed to.

#### INDIAN AFFAIRS IN BRITISH COLUMBIA.

Mr. DECOSMOS moved for a return containing all the correspondence that has passed between the Government and Mr. J. W. Trutch, since January, 1880, respecting Indian affairs in the Province of British Columbia. He

said: It is known that Mr. Trutch has corresponded with the Government on the subject of Indian affairs. It is known that he has made recommendations, and I know of no good and sufficient reason why his correspondence respecting Indian affairs should be withheld. There is good reason, on the contrary, why the correspondence should be laid on the Table of this House. I find in the Estimates that the sum of \$26,788 has been paid down for Indians; and I find opposite the names of the Indian Commissioners the sum of \$24,140, in all \$50,928. When the Province of British Columbia entered Canada, I believe the maximum amount was about \$500 or \$1,000, and since Confederation has been adopted \$50,528 have been put in the Estimates. I can assure the House the people of Columbia have no desire whatever to continue a system of expenditure in our country under which the Treasury will be depleted. The report sent by Mr. Trutch will, I hope, be brought down by the Government. But why Mr. Trutch should be selected instead of Col. Powell, an equally respectable, intelligent and well-educated gentleman, to make reports from British Columbia to the Department of the Interior, I do not know. In my opinion it is quite impossible that a person who is an irresponsible agent, as he appears to be from what we have heard to-day, should pass in reports influencing the affairs of a Province of the Dominion, and those reports not be laid before the House in due course. In dealing with the Estimates we want the fullest information that can be had, in order that we may deal with questions intelligently. Whether the reports are withheld or not, the agent of the Government has special objects in making his recommendations, and he recommends persons to fill offices which can be filled at a cheaper rate, with greater efficiency, than by the persons so recommended. I trust the report will be brought down.

Sir JOHN A. MACDONALD. I am not going to discuss with the hon. gentleman whether the appointment of Mr. Trutch was a proper one or not. When that policy was submitted it was approved by Parliament and it will be maintained. As to the personal attack made by the hon. gentleman on Mr. Trutch, who is a man of high standing and unexceptionable character, I cannot understand the reason of it. As to this correspondence, any letter the submission of which will not be opposed to the public interest, I will bring down, but not a single letter which I think ought not to be brought down.

Mr. DECOSMOS. I was not aware that I made any personal attack on Mr. Trutch's character.

Sir JOHN A. MACDONALD. You called him a spy.

Mr. DECOSMOS. I called him that. The people of British Columbia call him a spy, and I represent the people who do so.

Motion agreed to.

#### RAILWAY LANDS IN BRITISH COLUMBIA.

Mr. DECOSMOS moved for a copy of all reports, correspondence and telegrams between Mr. J. W. Trutch and the Government respecting railway lands in British Columbia. He said: I desire to offer some remarks regarding this motion in order that I may place before the House a subject which has previously engaged its attention. In moving this resolution I feel I have an unpleasant duty to perform; nevertheless, I am prepared to make the motion, and not shrink from the discharge of my public duty. During last Session the members for British Columbia were alarmed by a statement made that application had been made by Mr. Trutch for all the arable lands in British Columbia, and unless those lands were transferred to the Dominion Government, the railway subsidy, so called, would be withdrawn. I was asked to telegraph to the Government of British Columbia and endeavor to persuade the Government

of that Province to consent to the demand made over the name of Mr. Trutch on behalf of the Dominion. I refused distinctly, knowing intimately the history of the union of British Columbia with the Dominion, and that the Government of Canada had no claim to any land within that Province, except within the railway belt, or to the same extent of land that might have been alienated by Crown grants or pre-emptions. They thought I was working against the interests of the Province, and that I should have joined with them in making such a recommendation. I am glad to say that, so far as I now know, the hon. members from that Province concur in what I said last Session, that the Government of Canada has no claim whatever on any land except those within the railway belt and those contiguous thereto, in order to make up what had been alienated by Crown patents or pre-emptions. In the next place, the question was presented to the Legislature of British Columbia, and that Legislature took a similar view to that which I have stated here. They passed an Act giving the Dominion of Canada everything to which it was entitled under the 11th section of the Terms of Union. The press took up the question and urged different views, not knowing the history of the railway clause in the Terms of Union, or the history of the railway land clause. Many people believed the claim was just, and almost persecuted the Local Government of the hour, seeking to embarrass them by pressing them to take a certain course. No longer ago than last November, some hon. gentlemen will recollect that a telegram flashed across the wires, stating that the claim had been renewed, and that unless the Government of the Province transferred the land, the railway land subsidy would be withdrawn. I have understood since, that that was a false statement; it was put forward, possibly, for some special purpose, but I have understood since that no such claim was made on behalf of the Dominion Government in the Province. During the present Session the hon. member for Bothwell (Mr. Mills) deliberately stated in the House that a fraud had been perpetrated on the part of British Columbia when the land clause of the Treaty of Union was before Parliament. He went so far as to say that the Province had conspired with the Government of the day with the object of palming off poor lands for good lands. He went further, and declared his belief that the whole railway clause was in consequence void. Hence the question becomes an important one to British Columbia and an equally important one to the Dominion. It is desirable that no false information should be disseminated, deceiving the community and causing them to discuss subjects which have no foundation in fact. Now, Sir, I feel it is my duty to explain to this House the origin of the railway land clause in order that Parliament and the country may understand how it originated, and with that explanation I believe the country will be satisfied. I may premise that I gave considerable of my time during the last year to collect everything relating to this question that could be found in the Parliamentary library. Nothing escaped me, so far as I am aware, with respect to the land clause. Owing to the telegram I referred to, I caused the papers to be printed in order that they might be at my disposal, or at the disposal of this House, whenever occasion required. Now, Sir, let me draw the attention of the House to page 3 of this pamphlet, of which hon. gentlemen may get a copy. On page 3, and in section 11, clause 2, will be found the Terms of Union with British Columbia. It will be remembered that a claim has been sent in to the Government of British Columbia, that all lands found valueless within the railway belt, between Yellowhead Pass and Burrard Inlet, shall be made good from arable lands throughout the other portions of the Province. That clause reads as follows:—

“TERMS OF UNION.

“And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as Mr. DeCosmos,

the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands, along the line of railway throughout its entire length in British Columbia, not to exceed, however, twenty (20) miles on each side of said line, as may be appropriated for the same by the Dominion Government from the public lands in the North West Territories and the Province of Manitoba. Provided that the quantity of lands which may be held under pre-emption or by Crown grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided further, that until the commencement, within two years as aforesaid, from the date of Union, of the construction of the said railway the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way, than under right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land so conveyed in aid of the construction of the said railway the Dominion Government agree to pay to British Columbia from the date of Union, the sum of 100,000 dollars per annum, in half-yearly payments in advance.”

In this I find nothing at all about the quality of the lands; all we find is the quantity of the lands—that they should not exceed 20 miles wide on each side of the railway, and that any lands sold under the provision for Crown grant or pre-emption should be made good from contiguous lands. Now, Sir, I wish to explain the origin of the railway clause. On page 1 of this pamphlet I read:

“TERMS PROPOSED BY BRITISH COLUMBIA TO CANADA IN 1870.

Sec. 2.—“The population of British Columbia shall, for the purpose of financial arrangements, be estimated at 120,000. British Columbia not having incurred debts equal to those of the other Provinces of the Dominion, shall be entitled to receive half-yearly, in advance, from the General Government, interest at the rate of five per centum, per annum, on the difference between the actual amount of its indebtedness at the date of Union, and the proportion of the public debt of Canada for 120,000 of the population of Canada at the time of Union.”

Sec. 3.—“The following sums shall be annually paid by Canada to British Columbia, for the support of the Local Government and Legislature, to wit:

“An annual grant of \$35,000, and a further sum, equal to 80 cents per head, per annum, of the population; both payable half-yearly in advance, the population of British Columbia being estimated as aforesaid at 120,000. Such grant equal to 80 cents per head, to be augmented in proportion to increase of population, when such may be shown, until the population amounts to 400,000, at which rate such grant shall thereafter remain.”

“(Amendments proposed by the Legislative Council: ‘That the Government be respectfully requested to strike out the figures \$35,000 and insert in lieu thereof \$75,000.’) (‘That figures ‘400,000’ be altered to ‘1,000,000.’)

SUMMARY.

80 cents per head on 120,000 inhabitants .....	\$96,000
Subsidy .....	35,000
Interest on difference of debt at 5 per cent.....	82,000
	<u>\$213,000</u>

Now, the summary of this provision amounts to this: eighty cents per head of 120,000 of a population, \$96,000; subsidy, \$35,000; interest on difference of debt at 5 per cent., \$82,000; total, \$213,000. These were the terms proposed by British Columbia through its delegates to the Dominion Government. Now, let me give you a truthful account of the reason those terms were changed. I read from page 4:

“To understand this question thoroughly, it is necessary to know the origin of the Railway Land clause of the Terms of Union.

“On reference to pages 1 and 11, it will be noticed that British Columbia proposed that her population for financial purposes be estimated at 120,000; ‘but finally agreed to accept the basis of the actual population, namely, 60,000.’ On the basis the subsidies stood (see page 2) as follows:—

5 per cent on difference between actual and allowed debt .....	\$33,289 71
60,000 inhabitants at 80 cents per head .....	48,000 00
Annual subsidy .....	35,000 00

Total .....

That is all the subsidy the Government would agree to give, having reduced the population from 120,000 to 60,000.

“This total was nearly \$100,000 less than the Legislature of British Columbia had authorized the delegates to accept. Unless that sum could be made up in some way, it was useless to continue the negotiations. As no expedient was at hand to make good the deficiency, the negotiations were adjourned till next day. Next morning, Sir George Cartier entered the Privy Council Chamber and stated that Parliament

had offered Newfoundland \$150,000 a year for ever for all her Crown lands, and that he proposed to give British Columbia \$100,000 a year for ever for a belt of land not exceeding 20 miles in width on each side of the railway. This was promptly accepted and Mr. Trutch immediately drew up the Railway Land Clause.

"Any one who will carefully examine the Railway Land Clause on page 3, and recollect that Mr. Trutch drew it up, cannot but feel fully convinced that so well drawn a clause would have contained a provision providing for the selection of land 'suitable for farming or other valuable purposes' in lieu of lands, within the railway land belt that, 'on investigation,' might be found valueless, if such subject had been discussed between Sir George Cartier and himself.

"It will be seen, on page 4, that when Mr. Trutch moved in the Legislative Council the adoption of the Terms of Union, he said that 'he could not do better now than pass them in review and comment upon their relative advantages.' He stated that the nominal population of 120,000 was objected by the Canadian Government and was fixed at 60,000 as the basis of the financial portion of the terms, and that 'The railway subsidy was in return for a belt of land 20 miles on each side of the line of the road.' Not a word is mentioned about selecting good land any where throughout the Province for what might be found valueless in the belt. So the Railway Land Clause was accepted by the Legislative Council without inquiry and interpreted according to the true intent and meaning of words and sentences, although Mr. Trutch stated (page 4) that 'the delegates were present to explain the exact meaning of every clause as they understood it at the time of the making of the Terms.'"

Now, Sir, it was stated here that the Parliament of Canada had been deceived, and that there was no land there. With regard to that, I will direct your attention to another statement which appears here:

"The mountainous and sterile character of a large part of the Province was well known to the delegates, and to Mr. Trutch in particular; for he carried with him to Ottawa a copy of a map of the Province generally known as 'Trutch's Map,' intended for publication, which represented the country generally as a 'Sea of Mountains,' and which was taken to the photographer of the Public Works Department to be copied. The Dominion Government cannot, then, plead ignorance of the rough and mountainous character of the country."

I hold in my hand a copy of this map taken from the negative prepared in the Public Works Department in 1870. Anyone who looks at this map can see that fifty miles above Westminster there is a vast gorge in the mountains, and the whole line, as at present located, passes through high mountain ranges. The Government of 1870 were not deceived so far as the delegates were concerned, for they brought the original draft of this map here, and the negative remained ever since in the Public Works Department, where I found it. The map of May 9th, 1870, is inscribed thus:

"Map of British Columbia, compiled and drawn by J. B. Saunders at the Lands and Works office, Victoria, from the latest authentic information, under the direction of the Hon. J. W. Trutch, Chief Commissioner of Lands and Works, and Surveyor General."

When Mr. Trutch came here again, he brought with him a map with additions up to January, 1871, which is inscribed:

"Map of British Columbia, to the 56th parallel north latitude, compiled and drawn at the Lands and Works Office, Victoria, British Columbia, under the direction of the Hon. J. W. Trutch, M. Inst., C.E., F.R.G.S., Chief Commissioner of Lands and Works and Surveyor General, 1871."

Any one who looks at these maps will find that the Province represented on them is a sea of mountains. Then the question would arise, where was this fine, arable land to be found. In order to show that no deception on this point was imposed on the Parliament or people of Canada, I will read again:

"The fact is the Dominion did not want the lands. It was only an excuse to give the Province a subsidy sufficient to carry on its Government and make internal improvements—on the same principle as the \$150,000 had been offered to Newfoundland. Mr. Anglin stated that 'the Minister of Customs had admitted that it was only an excuse to give the money, and that the lands were not wanted.' Any contention, therefore, at this day, about the quality of the land in the railway belt, is most mischievous.

"Sir Alexander Campbell, when he moved in the Senate the adoption of the address for the admission of British Columbia, stated very frankly the views of the Government as to the value of the railway lands as a source of revenue. He said: 'It will be remembered that, in the case of Newfoundland, we agreed to give her \$150,000 per annum for land for ever. It was not believed in that case, nor is it in this, that the land would yield any revenue equal to that sum; but it was valuable in some respects; and it was felt necessary to assist Newfoundland beyond the 80 cents per head of her population.'"

"This statement alone, taken as a governmental utterance, and as an expression of the views of the Dominion Government as to the value of the railway lands at that time, ought, in itself, to quiet forever all contention about the quality of the land in the railway land belt."

I think so too. But, unfortunately, in an evil hour, I believe, the tempter came to the Government, and persuaded them that there was something wrong about the land, and a claim was put forward for lands outside the railway belt. Now, I will read what Mr. Anglin said with reference to the value of these lands:

"Mr. ANGLIN. \* \* \* He contended that it was not open, or honest, or manly to give \$100,000 for lands along the line of railway; for the Minister of Customs had admitted that it was only an excuse to give the money, and that the lands were not wanted."

"Mr. MILLS. An open confession."

"Sir GEO. E. CARTIER. A Catholic confession."

"Mr. ANGLIN. A Catholic confession was an open and a full confession, and he wished the Government would make such a one (Applause) \* \* \* Beyond the Rocky Mountains, the country was again hilly and rocky. In reference to that point, he quoted from an article in the *Victoria Colonist* to corroborate what the hon. member for Lambton had said the other night with respect to the sterile character of some parts of the route. He (Hon. Mr. Anglin) liked to be frank, and would say that the article was written to support one railway scheme against a rival railway scheme. The article spoke of the 'Horrible Frazer River Country,' 'the appalling character of the difficulties,' 'sterile mountains of enormous height, from which land slides perpetually in summer, and avalanches sweep down in winter, carrying all before them. The cost of the railway in these defiles would be money thrown away, and a millstone on the neck of the Dominion. These extracts of which he might read more, would serve to give some idea of the country. Now the question came up what must be the cost of the railway through such a country as that? The cost of forwarding supplies far into the interior to support the men engaged in the work must be enormous, and the wages of the men would also be very large."

Those who have paid attention to the reports of engineers on the located line of railway will find that members of Parliament at the time were very well posted as to the general topography of the country. I will read a few extracts from what appeared in the debate about Newfoundland, when the admission of that Province was under discussion in 1869. Hon. Mr. Smith said:

"Then we have to pay \$150,000 for Crown land which were worth nothing. Last year, the revenue from these was \$2,500, whereas the cost was \$6,000. Yet, we here gravely propose to pay \$100,000 a year rent and manage them besides."

That was the opinion held and put forward, not only by the hon. member for Westmoreland (Sir Albert J. Smith), but by several other gentlemen as to the value of lands in the Province of Newfoundland. On that ground Mr. Campbell made the statement that he did not expect any revenue from the lands that would repay the expenditure of \$150,000. Mr. Blake said:

["HOUSE OF COMMONS. GLOBE REPORT, JUNE 10, 1869"]

"\* \* \* The proposed barter of the public lands of Newfoundland for \$150,000 a year was a sham bargain. The Dominion would never reap pecuniarily and directly any advantage from these mines and minerals. Under these circumstances, if the choice were between giving \$150,000 a year to Newfoundland and taking her lands, and our giving \$150,000 to Newfoundland and leaving her land, he would unhesitatingly vote in favor of the latter of those two propositions. He believed the prosperity of the Colony would be largely enhanced by the adoption of the latter alternative, and the pecuniary result to Canada would be largely enhanced by it."

I have no intention of pursuing this matter further in making quotations. I will say to this House that I have no charge to bring against the right hon. the leader of the Government of having led Mr. Trutch into making this claim. I am aware the right hon. gentleman knew nothing at all about these terms at the time they were negotiated by the Government of Canada and the delegates of British Columbia. He was then sick. I believe this claim for arable land is set up by Mr. Trutch, and by nobody else. I have his own statement with relation to the manner in which the terms were negotiated. Mr. Trutch undoubtedly knew that the Government of Canada was entitled to nothing more than the twenty mile belt on each side, and he ought to have so informed the Government last year

before the Orders in Council were passed. Had he been an honorable man, he would have refused to act in the capacity of agent in putting forward such a claim, knowing it had no foundation in the terms of the Union. On the contrary, having acted as agent in the matter, he deserves not to be employed by the Government of Canada, and I trust that the Government will see that it is necessary to allow that gentleman to earn his labor in some other way than by setting up a claim to which the Dominion have no right. No one who has read the reports will find that the hon. member for Lambton (Mr. Mackenzie) ever put forward any claim or made the slightest suggestion of a claim on behalf of the Dominion, for anything outside the railway belt, except so far as getting contiguous land for such land as had been alienated by Crown grants or pre-emption. At the time when British Columbia was asked to make a reserve on Vancouver Island of 3,200 square miles, 2,048,000 acres, I was President of the Executive Council and Mr. Trutch was Governor. I can assure this House, without divulging any secret, that there was never any question raised anywhere in that Province with respect to getting arable land for rock, or swamp, or mineral land. It was not until the last Session of Parliament that this question was raised and the infamous act, in my opinion, perpetrated by that gentleman who should instead have directed this Government, if possible, not to claim anything beyond what they were justly entitled to. I submit the resolution to this House with the hope that I have spoken long enough to give hon. members on both sides an idea of the injustice of the claim put forward over the name of Mr. Trutch. I think it only right to say, in closing, that I do not hold the Government responsible.

Sir JOHN A. MACDONALD. It is a matter of no consequence whether the hon. gentleman holds the present Government responsible for that or not. The Government is responsible for it. Whatever claim Mr. Trutch has advanced has been by special instructions from the Government. All the Government wants is that British Columbia should fairly carry out the engagement made at the time of the Union between her Government and the Canadian Government.

Motion agreed to.

#### SALE OF INTOXICATING LIQUORS WITHIN THE PRECINCTS OF THE HOUSE.

Mr. LONGLEY moved that it be resolved, that Mr. Speaker be requested to issue an order prohibiting the sale of intoxicating liquors within the precincts of this House. He said: I am told by some hon. members in this House that my motion is altogether unnecessary, inasmuch as there was a similar motion submitted to this House seven years ago. I am told that that motion is still alive, but it has seemed to me, from observation, that that motion must have become obsolete. It is said that even our bodies change in seven years. I do not know. I may say that it is just seven years since the motion to which I refer was placed on record. It is contended that Mr. A. becomes Mr. B., and so on; but I believe that there is, speaking in a physiological point of view, some truth in the remark that our bodies do change in the space of seven years. Whether that will involve a change of opinion or not, I am not quite certain. There is one spirit that never changes—the spirit of a man. We do not, any of us, believe in the transmigration theory; but at any rate, if the motion to which I have referred is considered by the House to be still in force, I am not, by any means, so intent upon pushing my resolution to-night as to seek to urge it unduly. But what I am, as one member of the House, very desirous of seeing is, that the sale of intoxicating liquors within the precincts of this House—I mean by the term precincts not only this Chamber, but all around and about the space we are supposed to have control over—should be terminated. I do

Mr. DeCosmos.

not, by any means, presume to enter upon the domain of the House at the other end of the building. I cannot, however, but think that if this end were accomplished this Parliament would present itself to the people of the Dominion in a much higher and very much more favorable attitude than it has exhibited itself in, and can exhibit itself in, while it is notorious there is a bag kept beneath this Chamber. I am not quite so extreme as some of my hon. friends imagine. I do not expect by this means absolutely to stop the grog of all the members of this Chamber. I only wish I had the power. I think I would exert it, and in exerting it I should think I was doing a very great good to those over whom I had, for the time being, control. Now, I admit, if it be necessary—because I think the admission would carry a sort of reflection upon this House—that it is indispensable that there should be a small modicum of wine now and then distributed or drunk about this Chamber—or something stronger if you will—there are various facilities for getting the article about this city, as is too obvious in every street we tread. I will not undertake to descant upon this fruitful theme, because I am speaking to a class of gentlemen who understand more about this subject, perhaps, than I can claim to know; but, strange to say, in my humble judgment, a very wise use of the knowledge they possess. I submit, in all candor, whether there have not been some exhibitions in the saloon below which have by no means been creditable to the parties implicated. I think there is no denying that fact. I am not disposed to cast reflections upon anybody, but what I see with my own eyes I am inclined to believe. I am afraid that the statement would not be contradicted, that at certain hours during this Session of Parliament the place below has been almost flooded with persons from outside.

Some hon. MEMBERS. Hear, hear.

Mr. LONGLEY. I am delighted to hear that "Hear, hear," but I find that many of my hon. friends are very willing to agree that outsiders should be de-rived of their grog; but if you come to make a personal application away goes all their enthusiasm, and away go all their votes, I am afraid. Now, I submit whether or not all of us, conceding a little one to another, and looking at our credit and to some extent to our own safety, and looking also to the fact that if that bar below is kept open outsiders, as I term them, will come in, would it not be better to abolish the evil altogether. That is the point to which all my remarks lead, and I shall feel a measure of satisfaction which I would have no words to express if the House would consent, either that the motion placed on record seven years ago should still be considered in force, or that the present motion should be adopted. I confess that inasmuch as we are under a new regime I would personally prefer that the House should pass this motion, whether it be regarded as the revival of an obsolete motion or in the way of starting anew. I trust the House will take into favorable consideration the few observations I have ventured to make, and that we shall have this, I was going to say nuisance—and I do not think the word would be improper—abolished.

Mr. McCALLUM. The hon. gentlemen was kind enough to say that if the motion, which was passed some years ago, was revived, he would not press the present resolution. As that motion was made in another Parliament and the instructions given to another Speaker, I do not think it could now be enforced. If the hon. gentleman would confine his motion to the closing of the bar, I shall support him, but when he goes so far as to abolish drinkables altogether, he might as well go farther and abolish eatables, for there is just as much danger from over-eating as there is from excessive drinking. As to the disgraceful scenes which we hear of, I have been in Parliament for thirteen years, and I say that if you take 200 men out of any church, you would not find more temperate men than the members of this House.

Mr. LONGLEY. The hon. gentleman, I know, has no desire to misrepresent me. I did not say I had witnessed disgraceful scenes.

Mr. McCALLUM. I did not say you did. I wish to read a short extract from the Ottawa correspondence of the *Toronto Globe* of last Session:—

“Mr. Longley, of Annapolis, will on Monday move that the Speaker be requested to issue an order prohibiting the sale of intoxicating liquors within the precincts of the House of Commons. This is a step which will probably meet with public approval. The bar in the House of Commons is in every respect a public bar, and not confined to the use of members. Drunken strangers frequently, and even intoxicated members occasionally, are to be met in the corridors or stairs leading from the basement to the main floor. If it were not for the fatal facility with which members obtain intoxicating liquor within a few steps of their Chamber, the brawls and scenes which have disgraced not only this but previous Parliaments would never have been witnessed.”

I repeat that I have been here for thirteen years, and I have never seen any brawls here as the result of indulgence in intoxicating liquors. We have heard strong language hurled across the floor of the House, but it was not owing to liquor drinking; and I, as a member of this House and one who does not drink himself, would no more think of preventing members from taking a glass in the evening than I would of depriving them of their cup of tea.

Mr. WRIGHT. While I agree with much that has fallen from the hon. member for Annapolis (Mr. Longley) with respect to the desirability of closing the bar, I certainly agree with him as to the desirability of excluding strangers, yet I think that many unfair and unjust insinuations have been sent broadcast over the country with regard to the conduct of members of this House. I agree with the hon. member for Monck (Mr. McCallum) that you cannot find anywhere 206 or 207 more temperate gentlemen than those composing the membership of this House, and I think it is especially cruel and unjust that these insinuations should be sent abroad with regard to those of our number who have been ill. Does anyone suppose that the hon. member for Lambton has been injured by the existence of a bar down stairs, or that the Minister of Railways suffered at all from the same fact. Both of these gentlemen are, I believe, practically teetotalers. I believe the Minister of Finance is one who has also been ill. Will anyone say that his illness was at all to be attributed to the bar down stairs? I think the insinuations to which I have referred are grossly cruel to the memory of those two hon. gentlemen who have passed away from us, who are mourned by us all, and who were notoriously among the most temperate men in the House. Those members who have been ill, instead of being of the number who indulged in the social glass, have been among the most temperate members of the House. I think this matter is one which you, Mr. Speaker, should regulate; I think that the restaurant should be managed somewhat in the fashion of a club with a committee of members to arrange matters in connection with it. I am in favor of excluding strangers, but I object to the insinuations being thrown broadcast over the country. I think the statement of the *Toronto papers* that if matters in the Local Legislature with regard to the drinking habits of its members are in a bad state, they are worse here, is unfounded, and I think no more temperate body of gentlemen can be found anywhere than the members of this House.

Mr. KIRKPATRICK. I am sorry to hear the imputation cast against members of this House that they are in the habit of indulging too frequently in strong drink. I have vanity enough to think that I am not one of the class referred to, and I do not think the hon. member for Annapolis will consider me inimical to the Order he represents so worthily when I protest against the insinuation that there is any necessity for such a motion as has been made on the present occasion. I certainly agree with the hon. member in his remark that it is unfortunate there is a

place in this House where intoxicating liquors are sold to strangers, where persons can enter and obtain liquor, as though they were in the town, where establishments are under license regulations, the supervision of inspectors, and under the laws. I think it is desirable we should put a stop to it. I do not believe any of the illness which has arisen among members of the House has been occasioned by the fact that they belonged to the class addicted to the use of intoxicating liquors; and I agree with the hon. member for Ottawa (Mr. Wright), that it is an unfortunate aspersion on some of those whom we have lost, that reflections should be cast on their characters, as it were indirectly—for I do not think any one would directly say a word against them—owing to the fact that they were addicted to the use of intoxicating liquors. I beg to move in amendment:

“That the Speaker be requested to issue an order closing the bar within the precincts of this House for the sale of intoxicating liquors.”

Mr. LONGLEY. Perhaps we should be thankful for small favors, but the amendment, I must frankly say, does not by any means satisfy me. I think I can give very good reasons why it does not satisfy me. It is but a piece of the policy which characterizes all attempts made to patch up that which cannot be patched up; in other words, it is an attempt to regulate an irregularity. That is not an original expression, but it is the expression of one who sifted this question most thoroughly; and it is an expression of sentiment that must receive a thorough endorsement on the part of every reflecting man. There is excess in the thing itself. The habit grows and it grows even where people least anticipate its growth. The amendment seems to sound well, to be quite a concession, and some hon. gentlemen opposite no doubt feel they are entitled to a large meed of praise for the concessions which they have proposed. The hon. member for Frontenac (Mr. Kirkpatrick) who has moved the amendment, reserves to himself the privilege under it of asking half-a-dozen of his friends who may visit Ottawa down stairs, to treat them at any time he pleases; and that I think, is one of the reasons why a number of hon. members are reluctant to consent to forego that privilege. I shall be obliged if the hon. mover of the amendment or any other hon. member will tell me what difference there is in the way of example, of morality, or of wrong doing, between a resident of Ottawa going down voluntarily to the bar and getting what he wants, and his being taken down by others, by no means better than himself, and treated by them. So that under the amendment that which we condemn might be carried on almost as successfully and nearly to the same extent as it has been going on during the last three months. I hope we shall not for a good while to come, after this question has been ventilated a little, see such exhibitions as were witnessed this winter below stairs; and I do not wish to reflect on hon. members when I say that. But I say this, that the members of this House are not, every one of them, above suspicion in that respect. And I can say more, if I am pushed to an extremity, as some hon. gentlemen may find out. I know exactly the ground on which I stand on this matter. We do not like to say, we ought not to say, what we think. We ought not and dare not, in fact, impart all we know, and especially in regard to those who have passed away.

Some hon. MEMBERS. Shame, shame, shame!

Mr. LONGLEY. The half is not told and the half is not known in regard to this iniquity anywhere. But I do not wish to continue this line of observation. I am not, however, satisfied with the amendment; I desire to test the opinion of the House on it, and if hon. members think it will do them credit individually, or do the House credit as a body, to refuse to abate in a proper way this nuisance, let them do so. For my own part I prefer to be consistent, and keep

my position good. By adopting the motion we will do credit to ourselves, contribute to our safety and to our self respect. But that is a matter of private opinion on the part of hon. members, and I am quite willing to submit my motion to the decision of the House.

Sir JOHN A. MACDONALD. I have been long enough in Parliament to have seen motions of this kind frequently made and carried. I have seen them made in Quebec, Toronto, Ottawa, and always for the same cause, and that an influx of strangers being allowed to go to the House of Commons restaurant. I believe it is the cause of very great irregularity, there is no check upon it, and members are in a great measure to blame for it. It is very natural for a member receiving here a number of his constituents as guests to ask them to take a glass of wine, and the restaurant is the most convenient place for doing so. That has been the chief cause of all these irregularities. The resolution that was passed seven years ago is a standing instruction to the Speaker, but the reason why, in effect, that resolution is absolutely valueless, arises from two causes. In the first place this House has no control over the Senate restaurant, and the consequence of preventing the sale of wine in the Commons restaurant was that everybody went to the Senate, and made the fortune of the man in one end of the building, instead of the other. That trebled the custom of the man in the Senate restaurant, and rendered the Commons restaurant valueless. The person who had the Commons restaurant said it did not pay him, and no man could be got to keep it selling food alone. For that reason shutting up the bar was no check whatever. Then again, it was known that you cannot prevent a member from doing what he likes. He can bring his own bottle of wine or his own flask if he likes. If the man who keeps the Commons restaurant happens to be a wine merchant outside members can purchase from him. The resolution was found to be of no value and could not be enforced. That is the reason why it has faded away. If you want to prevent all irregularities, if my hon. friend would add to the resolution that not only the bar should be closed but that all strangers should be rigidly excluded, I think the hon. gentleman will get something that can be carried out. The original resolution of the hon. gentleman will have the same effect as the old resolution. It is found to be of no value, no check, no use whatever. The resolution of the hon. gentleman will fail in making any improvement at all, but by shutting up the bar and keeping out strangers he will make real and substantial improvement in the removal of the irregularities complained of.

Mr. MACDOUGALL. I am sorry that I cannot, from my own experience and observation, entirely concur with the suggestion of the right hon. gentleman. I do not see any reason, on grounds of morality, or right why members of Parliament, whose home this is, when their constituents visit Parliament, many of them for the purpose of consulting with members upon important public matters which may be under the consideration of Parliament, should not be at liberty to take those gentlemen to the rooms down stairs—for those are really the only rooms available—for the purpose of consulting with them. I do not see why we should tie our hands, why we should vote ourselves incapable of conducting ourselves like gentlemen, and prevent ourselves from conferring with our friends in the country when they come here, merely because some gentlemen in this House desire to make themselves popular outside by advocating a particular crotchet of theirs on every occasion. I am not an advocate of temperance in the way that particular gentleman advocates it, but I began my public life as a strong advocate of temperance and prohibition, and I believe I drafted the first prohibitory Act introduced into the Legislative Assembly, and I drew it up with great care. But I have lived to learn that that

Mr. LONGLEY.

mode of effecting temperance in a free and civilized community like ours is not the proper mode. I am firmly of that conviction. I am willing the experiment should be tried under the Scott Act. I believe we cannot satisfy public opinion until that experiment has been fairly tried; therefore, I am disposed to give every encouragement to the experiment in order that people may be satisfied that they cannot force upon the public, in a free country, particular notions about eating and drinking. I believe it is not in accordance with the genius of our institutions, and our civilization that any portion of the community shall force upon us their habits and ideas in regard to the way in which we shall live or what we shall eat or drink. I protest, as a member of this House, against the insinuation, or the implication that results from this motion, that we are a body of drunkards—for practically that is what it comes to. During all my experience as a member of Parliament, I do not remember a House more notably sober. I avow upon my honor that since I have been in this House I have not seen a member of Parliament intoxicated—not this Session at all events—and I am in the habit of going down stairs pretty often. As I live some distance away I take my meals below, and I have seen nothing of that kind. I admit that I have seen persons who appeared to be strangers, and others, servants of the House, exhibit signs of intoxication. Therefore I agree thoroughly with the suggestion that the bar, if we can properly call it a bar, or the place where liquors are served to members, should be closed to strangers. Members should have the right of procuring refreshments with their meals, whether wine or beer. I take a glass of beer occasionally, and I find it beneficial to me. I consider myself a sober man; I do not believe I was ever intoxicated in my life. Therefore, I claim the right to take my meals below and to have a glass of beer or wine with a friend. I can do it elsewhere, why should I be debarred from doing it here to please the hon. gentleman. I say this very motion, this discussion, is an advertisement to the country that something is wrong in this House which I do not see to be wrong, except in the matter to which I have referred. Therefore, I shall vote with great pleasure for the amendment of my hon. friend, which shuts up the bar; but I claim that the members of the House should have the privilege to order a glass of beer or a bottle of wine if they desire it. While that is the law of the country, while we have not actual prohibition prevailing everywhere, I do not see why we should advertise to the country that we are not capable of conducting ourselves properly in this respect.

Mr. ROSS (Middlesex). When this matter was brought before the House in 1874, the resolution moved by Mr. Chisholm was as follows:—

"That Mr. Speaker be requested to issue an order prohibiting the sale of intoxicating liquors within the precincts of this House."

That resolution was carried, after little discussion, by the House, and, as the right hon. gentleman has said, has been a standing instruction to the Speaker. It appears, however, from what has been said, that that order has been disregarded by some means or other, and disregarded, as the hon. member for Annapolis (Mr. Longley) has said, in a manner that has not added to the dignity of the House. I cannot speak myself from observation during this Session; but I know that in 1874, when that order was passed, it was felt to be due by this House to the sentiment that prevailed in the country, that we should, as a House, avoid everything that had the appearance of intemperance. I do not know whether that order was then more necessary than it is now. It was then the unanimous opinion of the House—there was no division upon it—that it would add to the dignity of the House and to its influence in the country that we should protect in this way, as far as we were able to control the matter ourselves,

against the too common sale of intoxicating liquors. For two or three years that order was tolerably well respected. The attention of Mr. Speaker was called to it once or twice with closed doors, and I think an order was given to the Sergeant-at-Arms to see that all intoxicants were removed from the restaurant. I think the order was pretty well carried out. I do not think the House lost anything by yielding to it; and I doubt very much if the House will gain by returning to the state of affairs which prevailed previous to the adoption of that order. I am not going to draw a line between a bar and the use of liquors, which some hon. gentlemen may think pleasant or healthful with their meals. I am going to draw the line where it was drawn in 1874. I think we should revive in its integrity the order then given, and say that so far as the House of Commons is concerned, there will be no intoxicating liquors sold within the precincts of the House. I think nothing will be lost to any gentleman in this House, or their friends, if such an order is carried out. I do not think the hon. member for Annapolis was actuated by any desire to cast any reflection on the members of this House or their friends who visited them. If circumstances occurred which made it appear that the respect or dignity of the members of this House suffered from the sale of liquors below, or if strangers visiting here by their intemperance cast discredit on the members of this House with whom they associate, I think the hon. gentleman was perfectly justified in moving the resolution he did. I think he should do what every hon. gentleman should try to do—maintain in every possible way the respect and dignity of this House—and I trust the motion he has made will be sustained. If members wish to use intoxicating liquors, let them go somewhere else for it or carry a flask with them; and even if they do suffer a little inconvenience in consequence, I think we shall gain very much. I certainly shall support the motion of the hon. member for Annapolis.

Mr. ROBERTSON (Hamilton). I feel it incumbent upon me to say something on this matter, inasmuch as the hon. member for Annapolis a few days ago asked me to second a motion to close the bar of this House, and I promised to do so; but when he made his motion, it turned out to be a different thing from what I had agreed to second, and I therefore declined to second it. I have been in the habit of taking my meals at the restaurant from the beginning of the Session until two weeks ago, and I think I have been as often there as any hon. member, and I have yet to see a gentleman there the worse of liquor. As a young member, when I first entered this Parliament, I was induced to expect to see a scene of great dissipation, from insinuations and slanders circulated throughout the country; but I was agreeably astonished to find myself among a community of over 200 gentlemen, who were almost absolutely sober. I do not think I ever saw any person within the precincts of this House, belonging to this House, in any degree the worse of liquor. If this motion is carried, what will be the result? You cannot prohibit gentlemen from taking a glass of wine if they choose to do so; and if we are not to have the privilege of asking our friends to the restaurant of the House, where shall we go? We shall go to the saloons, the restaurants or the clubs of the city. I would like to know if that would be a more pleasing exhibition than going down stairs to the restaurant of this House. If this motion is carried, I suppose the hon. members for Annapolis and West Middlesex, according to their peculiar ideas, will next bring in a motion to prohibit hon. members from taking a glass anywhere. But so long as we live in an age of progress and in a civilized country where every man has the right, so long as he does not break the law, to eat and drink what he pleases, such a measure can never be carried out. I claim to be a temperance man; no man ever saw me the worse of liquor

I do not say it boastfully; I can take my glass of wine or beer when I like—or I can take two or three—and I do not feel the worse of it. But these hon. gentlemen who claim to have all the virtues of the temperance cause embodied within themselves, are doing more injury to the cause of temperance by their intemperate way of treating the question than they would do if they confined themselves to moral suasion and their own good example. I was surprised to hear the hon. member for Annapolis refer in the way he did to the scenes we have witnessed within the precincts of this House. I do not know how it is that these hon. gentlemen, who claim to be such models and paragons of temperance, always see the drunken men, while no one else apparently sees them. Is it possible that they have been in places where respectable people do not go? I speak thus warmly because I feel that a slur has been cast on the reputation of the hon. members of this House, and I for one do not feel inclined to support—

Mr. LONGLEY. Hear, hear.

Mr. ROBERTSON. Hon. gentlemen may say in derision, "hear, hear," but all I can tell them is that they are doing more harm to the temperance cause than if they would advocate it in a different way. I have very great pleasure in supporting the amendment of my hon. friend. I think it is wrong that there should be an open bar down stairs; and I think strangers ought to be excluded from the restaurant, except when introduced by a member; but I submit that when friends come to see me on matters of business, I have a perfect right to entertain them at the restaurant, and the motion is rather too much of a good thing, and interferes with the liberty of the subject in a way I will not support.

Mr. WHITE (Cardwell). I intend to vote for the motion of the hon. member for Annapolis, for the reason that this House has already affirmed the principle of prohibition in the most emphatic terms. I have some embarrassment in voting for it on one account only, and that is, that being myself a teetotaler, I am reluctant to impose a self-denying ordinance on others who do not feel with me. But this House has declared that a mere accidental majority in any constituency may impose that ordinance on those who do not think with them; and I think, to be consistent with itself, this House should prohibit intoxicating liquors from its own precincts.

Mr. BOULTBEE. It was said by one of the most sagacious statesmen that I ever knew, that this is an age of humbug and we are ruled by humbugs. I must confess that when I heard the utterances of the hon. member for Annapolis and other hon. gentlemen the other night, when they spoke against the amendment I brought in to the Scott Act, I gave them credit for honest integrity of purpose in trying to do what they thought was right, though I thought they were somewhat narrow-minded and prejudiced, and very unjust in the way they were willing to ruin the business and property of the people without giving them any compensation. But a motion like this, I cannot help thinking, is a wanton insult to this House. I take it as a personal insult to myself and that they mean it as such, because both those gentlemen have referred in their remarks to the necessity that exists for passing such a measure as far as the members of the House are concerned. It is a melancholy thing to send forth to the people the statement that we, here assembled and making laws, are not able to restrain our appetites. Of course, we know there are men who drink nothing from reasons of their own; who, on the same principle that they abstain from eating a particular food because it does not agree with them, abstain from drinking altogether. There are a certain set of men with weak brains and stomachs, who, finding they cannot take anything without getting drunk, very properly become total abstainers; but it is most extraordinary how soon, when one of those gentlemen has taken the pledge, he poses as a sort of saint standing on a

pedestal above other men, who, having superior brains and common sense, can indulge moderately, and have no fear of making beasts of themselves. Never in this country will you impose a prohibitory law and make it work. To impose such a law here is humbug, because it will not be regarded. The hon. member for Annapolis says he understood this thing thoroughly, that he has studied it in every phase. I must confess, if we are to believe what he says, he has mixed in very strange society, for though I have knocked all over the world, and have seen a good deal of life, I have never witnessed the scenes he has depicted. Whether in his youth he was led away by an appetite he could not control, and mixed in society which does not qualify a man to lecture his fellow-creatures, or whether he sought those scenes with the view to cure the evils he has described, I know not, but I think that I never witnessed such scenes as he depicted the other night. What is the use of our making this miserable penny-trumpet sound about our closing the bar, when everyone knows that even were the order given it would not be closed? The law is always evaded in some way or other. I live in the hotel kept by the proprietor of the restaurant; I take my meals here, and I have never seen hon. members to any extent the worse for liquor. I may have seen a man who, on entering this Legislature for the first time, got a little bit jovial, and drank more than he should, but I am proud to say that everyone of those voted with the hon. member for Annapolis. I take exceptions to the proposition of my sage leader, that we should exclude all parties from going down to the restaurant. If effect were given to that, a member would be placed in a very humiliating position, when he could not take a friend of his from his constituency down to have some social refreshment. I think my hon. leader cannot have thoroughly considered the proposition he made. Let us consider this matter with some sort of respect for ourselves. Let us come to the determination that we are an assembly of gentlemen who are able to control themselves. Let us not be guilty of the empty folly, the poor farce of voting to prohibit the sale of intoxicating liquors, when everyone knows the sale will go on just the same as it did before the prohibition. I do not care what the hon. Premier of the House says. You will not alter by one iota the taking down of constituents into the restaurant, or library or smoking-room. Members have authority here, and no servant that we employ would prevent a member from bringing his friends through the lobbies. While believing the hon. members for Middlesex and Annapolis were honest in the position they took with regard to the Scott Act, I believe this thing to be a bit of offensive petty clap-trap intended to hurt the feelings and annoy the sense of honor of those who are opposed to them on this question. To members in the House who deal with each other as gentlemen, who meet each other from day to day, who are glad to see each other well, and sorry when any are ill, to propose this motion is an offensive position to take. It is a gross insult to put upon those who do not agree with those extreme temperance gentlemen. They know such a motion amounts to nothing; therefore it is only an empty vaunt—an attempt to shove their principles down our throats, when they know they can give no effect to them. They think to entrap us into votes here that will be flung in our faces at future elections. I will go as far as any reasonable man in promoting what I think a proper temperance measure; but if I please to eat and drink I shall eat and drink, and I have never found at any election, in any part of the country, that the sensible, honest advocates of temperance had any objection to those who maintained the same views as myself, who want to promote temperance by such means as proper example and persuasion, but not by trying to legislate men out of their rights. So far as the motion of the member for Frontenac (Mr. Kirkpatrick) is

Mr. BOULTBEE.

concerned, as it is an amendment to the main motion, I shall vote for it; but I am ashamed to do so, because it is understood that no effect will be given to it—it will be a dead letter, so I shall, therefore, be only voting for a nugatory motion.

Mr. LONGLEY. As respects the remarks of the member for East York (Mr. Boulton), I think they may be allowed to pass for what they are worth. I shall simply notice what he has termed my extravagance in representing the scenes I have witnessed here as a result of the saloon below. My imagination is not sufficient to depict the gross results of the liquor traffic. But if the member for East York has ever wandered about in the vicinity of the gin palaces of London—

Mr. BOULTBEE. I never go there.

Mr. LONGLEY. It is a pity the hon. gentleman should not visit those places, for he would there have a glimpse of the degrading results of this traffic which he seems so insidiously bound to uphold. He should wander about the streets of Glasgow and witness the degradation, the unsexing of women due to this evil, when he would know something of the effects of this liquor traffic. We have them here in a mitigated form. I want simply to make a remark or two in reply to the hon. member for Hamilton. He says truly that, before I decided to move this resolution, I invited him to second it. He seemed to respond with great alacrity. But as soon as he found that there was a little stringency about the motion—

Mr. ROBERTSON (Hamilton). The motion was to close the bar.

Mr. ORTON. I rise to a question of order. I think the hon. gentleman (Mr. Longley) has lectured the House long enough; and as he has spoken to his motion already, he should not be allowed to proceed in this strain.

Mr. SPEAKER. The hon. member for Annapolis says he wants to make some personal observations; but he must confine himself to the matter in hand.

Mr. LONGLEY. I want to reply to the member for Hamilton.

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

Mr. LONGLEY. I was going on to say that so soon as the hon. member for Hamilton found there was a little stringency about my motion, and that it was designed to have some effect, he shrank from seconding it. That is just what I have always found on the part of men who merely profess to be on the side of temperance. I do not wish either myself, or those with whom I am associated, to be misrepresented, and I say this: not only hon. members here, but the world at large, are under a debt of obligation to the present temperance men in the country. But for their efforts I am afraid we should all of us be beyond reclaim. I beg to state on behalf of those who have been assailed to-night as temperance fanatics, that we do not seek to impose the restraints that are alleged against us; we simply want to prevent the sale of intoxicating liquors about this House. The central point of our creed is that no man has a right to carry on business to the injury of his neighbor.

Mr. ORTON. I again rise to a question of order: the hon. gentleman has addressed the House a great many times, and I do not think we ought to allow him to go on; he is simply speaking on the general question of temperance.

Mr. LONGLEY. I wanted to reply to the remarks of a personal character made, and I shall proceed no further.

Amendment (Mr. Kirkpatrick) agreed to on the following division:—

## YEAS :

## Messieurs

Bannerman,	Langevin,	Pope (Compton),
Beauchesne,	Little,	Richey,
Bécharé,	Macdonald (Sir John),	Robertson (Hamilton),
Bolduc,	McDonald (Cape Breton),	Rouleau,
Boulbee,	McDonald (Picton),	Routhier,
Burnham,	McCallum,	Royal,
Cimon,	McCarthy,	Rykert,
Coughlin,	McConville,	Scott,
Coursol,	McDougall,	Shaw,
Cuthbert,	McKay,	Strange,
Daoust,	McQuade,	Sutherland,
Ferguson,	Malouin,	Tassé,
Flynn,	Manson,	Tellier,
Gunn,	Massue,	Valin,
Hooper,	Merner,	Vanasse,
Jackson,	Méthot,	Wallace (Norfolk),
Jones,	Orton,	Wheler,
Kirkpatrick,	Patterson (Essex),	Wright.—46.
Landry,	Platt,	

## NAYS :

## Messieurs

Allison,	Guthrie,	Paterson (Brant),
Bill,	Hackett,	Pickard,
Blake,	Hay,	Rinfret,
Bourassa,	Hilliard,	Robertson (Shelburne),
Burpee (Sunbury),	Huntington,	Rogers,
Cameron (Huron),	King,	Ross (Middlesex),
Cartwright,	Longley,	Rymal,
Charlton,	McDonald (Vict., N.S.),	Scriver,
Coupal,	MacDonnell (Inverness),	Tilley,
DeCosmos,	Macmillan,	Trow,
Dumont,	McCuaig,	Wade,
Fleming,	McIsaac,	Wallace (York),
Gault,	McRory,	White (Cardwell),
Gillmor,	Ogden,	White (Renfrew),
Glen,	Olivier,	Yeo.—46.
Grandbois,		

Mr. LONGLEY. I move that the motion be amended by adding the words suggested by the hon. leader of the Government: "and that strangers be excluded from the precincts of the House."

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. I think the hon. gentleman has the right to move that the words be added to the motion as adopted.

Mr. LONGLEY. I hope the right hon. leader of the Government will allow me to put his name on the motion as seconder.

Sir JOHN A. MACDONALD. I do not think the hon. gentleman can move it. He cannot move an amendment against his own motion.

Mr. LANGEVIN. The hon. member for Annapolis has already spoken on the motion, and has no right to speak again.

Mr. LONGLEY. As I understand, Mr. Speaker has decided that I am in order.

Mr. SPEAKER. An amendment adding words to the original motion may be moved; but, upon reflection, I do not think the hon. gentleman can move it.

An hon. MEMBER. Somebody else can.

Mr. LONGLEY. I wish to say a few words—

Some hon. MEMBERS. Question, question.

Mr. LONGLEY. After the motion to amend has been passed, I think I have a right to speak—

Mr. BLAKE. As I understand, we are now on the main motion as amended, and I think, the hon. gentleman is at liberty to speak upon that question.

Mr. SPEAKER. Does the hon. gentleman intend to speak to the main motion as amended.

Mr. LONGLEY. Certainly. I wish to show the leader of the Government that deference which I desire always to

show to him, and that is the reason why I am desirous to add the words he suggested. I do not think we would then have anything to complain of, and I think the House will be disposed unanimously to accept the suggestion of the Premier. As a matter of course, I do not wish to enter into a discussion of the general question, but I think it would be a great advantage to preclude strangers from the precincts of the House in the sense in which we have been speaking. It has been conceded by nearly everybody who has spoken, that the presence of strangers downstairs is a most objectionable feature.

Mr. BURPEE (Sunbury). I move in amendment that the following words be added to the motion as amended: "and that strangers be excluded from the refreshment saloon of the House of Commons."

Mr. WHITE (Cardwell). I move in amendment to the amendment that the words "unless accompanied by a member," be inserted after the words "House of Commons."

Mr. BURPEE (Sunbury). I think it is the general feeling that the amendment to the amendment should be accepted in lieu of the amendment. I, at any rate, am willing to accept it.

Amendment to the amendment agreed to.

Motion as amended agreed to.

## MOTIONS FOR RETURNS.

The following motions for returns were severally agreed to:—

Copies of all papers and accounts relating to a claim made by G. A. Girouard, for an alleged delivery of sleepers on the Intercolonial Railway, on which a payment of \$2,640 appears to have been made by Special Warrant, including all reports by Engineers, Superintendents or other officers of the Railway, and also departmental letters and decisions.—(Mr. Mackenzie.)

Statement showing the amount and character of the various claims made by Contractors on the Intercolonial Railway since its completion; the cases in which a settlement was obtained, whether by departmental action or through the Courts, stating the figures in each case; also, the report or recommendation of Mr. Sandford Fleming, Mr. C. Schreiber, or Mr. Brydges, in each case.—(Mr. Mackenzie.)

Copy of award of Dominion Arbitrators on a claim of one Alexander Forbes, for fencing on the Intercolonial Railway, on which a payment of \$172.18 appears to have been made by Special Warrant, and copies of report of Railway or departmental officials on such claim.—(Mr. Mackenzie.)

Copy of contract for fencing entered into by Thomas B. Smith, on Intercolonial Railway, in 1871-1872, in which a payment has been made of \$1,894.50 by Special Warrant; with copies of any reports on the subject by any railway or departmental officer.—(Mr. Mackenzie.)

Statement showing expenditures on Meaford Harbor in years 1879 and 1880, with reports of Engineers relating thereto, since January, 1879; with statement showing nature of work done, with quantities in each year, and name of Superintendent and Engineer; with estimate of cost of work yet proposed to be done, and character of work, showing, if dredging, increase of depth of channel and width; also area of harbor to be excavated, the number of days the dredge was employed in each year, and detailed statement of expenditure of dredge, with cost of towage of same in each year, specifying places of departure and arrival.—(Mr. Mackenzie.)

Return showing the cost of maintaining the Fish-Breeding Establishment, at or near Newcastle, Ontario, for the year 1876 and for each year since, including the year 1880.—(Mr. Glen.)

Return of the tolls collected each year on the Beauharnois Canal, since 1872 up to the present time.—(Mr. Bergeron.)

Names, nationality and religion of any person or persons appointed to any office or employment in the service of the Government since the 10th October, 1878, and the amount of annual salary or daily or monthly allowance of each officer so appointed.—(Mr. Wallace, Norfolk.)

Report of H. Parent, Engineer, relative to the change of Bridge across the Lock on the Beauharnois Canal, at Valleyfield.—(Mr. Bergeron.)

Report of H. Parent, Engineer, relative to the lease of certain Land on the North Shore of the Beauharnois Canal, at Valleyfield.—(Mr. Bergeron.)

Copy of the report of the Engineer who made the survey of Warton Harbor.—(Mr. Wallace, Norfolk.)

House adjourned at 10:35 o'clock, p.m.

## HOUSE OF COMMONS.

TUESDAY, 1st March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ADJOURNMENT FOR ASH WEDNESDAY.

Sir JOHN A. MACDONALD moved that when the House adjourns it stands adjourned until Thursday next.

Motion agreed to.

### CANADA MILITARY ASYLUM.

Sir JOHN A. MACDONALD moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to authorize the Minister of the Interior or the Minister of Militia, by notarial deed, to cancel and annul a certain emphyteotic lease made in the name of Her Majesty's Principal Secretary of State for War, to the corporation of the Canada Military Asylum, of a lot of land in the city of Quebec, since transferred under the Act 40 Vic., Chap. 8, to Her Majesty for the purposes of Canada and of the said Act and classed under the said Act by the Governor in Council as not necessary to be occupied for the defence of Canada, and to sell and convey the said lot and its appurtenances to the corporation of the Church of England Female Orphan Asylum, which is now, with the consent of the Crown, in the occupation of the same, for the sum of six thousand dollars, the capital of the rent now paid for it by the said corporation, and to pay the said sum into the Consolidated Revenue Fund, to the end that a separate account may be kept thereof and certain pensions payable by the said Canada Military Asylum and charged on the said property, may thereafter be paid out of the said Consolidated Revenue Fund.

He said: The resolution explains the object which is sought to be attained by it. Very many years ago the Canada Military Asylum was established at Quebec, with certain trustees resident in Quebec, and officers then of Her Majesty's service. The rent was fixed at \$360 a year, and the fund was applied to the granting of certain pensions to officers and widows of the soldiery. The asylum was used for the soldiery as well as for other persons, and it was under the joint charge of that joint corporation. Since then the troops have been withdrawn, and the land has been handed over to the Government, and it has been declared that this land is not wanted for military purposes. For very many years the building has been occupied by the Church of England Female Orphan Asylum, and they have paid the remaining pensions. There are no means of obtaining a surrender of the lease, because there are only two officers and two persons left. The children of the remaining old soldiers are always received at the asylum, the conductors of which are very anxious to have the title conveyed to them. It has been offered for sale, and the

Mr. BURPEE (Sunbury).

utmost that can be got for it is the sum mentioned in the resolution, \$6,000. The resolution is for the purpose of enabling the Crown to convey to this corporation the land on which the asylum now stands, and the sum of the purchase money will be paid over to the Crown, and the Crown, from the interest obtained therefrom, will pay the remaining pensions to the two or three widows and children still chargeable on the fund.

Mr. BLAKE. As I understand the hon. gentleman, this is, in fact, a sale at its full value of this property to this corporation?

Sir JOHN A. MACDONALD. Yes.

Mr. BLAKE. What is the reason this formal legislation is necessary for that purpose?

Sir JOHN A. MACDONALD. Because this corporation holds a 99 or 999 years lease from Her Majesty's service, and we are advised by the law officers that there is no means of getting rid of such a lease.

Mr. MACKENZIE. Was it offered for sale by public auction?

Sir JOHN A. MACDONALD. By advertisement, I believe.

Mr. ANGLIN. Will the hon. gentleman give us some idea of where the property is situated, and its extent?

Sir JOHN A. MACDONALD. It is on the *Grande-Allée*, between the St. Louis Gate and the toll gate. It has been occupied by this corporation as an orphan asylum for many years, by the consent of all the inhabitants of Quebec of whatever religion; it is called the Protestant Asylum, and not far from it is the Catholic Asylum. The object of this resolution is merely to give them a title of the property, of which they were placed in possession in 1861, to be used for the purpose to which it is now devoted. It is about 300 feet square.

(In the Committee.)

Mr. BLAKE. If the only real purpose of this legislation is to invest this property in the Government, I do not see why we should go any further than the exigency of the case requires. If the difficulty in the way of selling to anybody were removed, the Government would have power to dispose of the property in this or any other way. If, on the other hand, it is necessary that there should be a parliamentary sale to this particular corporation at the price stated, it would be convenient that all papers with reference to the value, &c., of the property should be laid on the Table. I would like to know whether there is any other property in a similar position, and with reference to which our action to-day may form a precedent.

Sir JOHN A. MACDONALD. I am not aware of any other property in the same position as this. In order to ascertain the value of this property, advertisements were issued calling for offers. It was not put up at public auction, because, in the first place, the title was not good, and, in the second place, because it was the desire of the Government that this corporation should get the property at a reasonable rate. The reason for asking for this form of conveyance is, that I am advised by the law clerk of the Senate, Mr. Montizambert, who is a Lower Canada lawyer, that there are no means of obtaining a surrender of that lease, and therefore this is an Act of the Legislature to authorize the Government to cancel the lease and convey the property to the corporation occupying it.

Resolution reported, read the second time, and agreed to.

Sir JOHN A. MACDONALD introduced a Bill (No. 76) relating to the Canada Military Asylum at Quebec.

Bill read the first time.

## REPORT PRESENTED.

Mr. CARON laid before the House the report on the state of the Militia of the Dominion of Canada, for the year 1880.

## TELEGRAPHIC COMMUNICATION BETWEEN THE PACIFIC COAST AND ASIA.

Mr. LANGEVIN moved that the House resolve itself into Committee of the Whole to consider the following resolutions:—

1. That it would be of great advantage to Canada that telegraphic communication should be established between the Pacific Coast of the Dominion and Asia, and that certain facilities and advantages should be granted to any company willing and able to establish and maintain the same.

2. That with this view, it is expedient to provide that if Sandford Fleming, Esquire, who has submitted a plan for the formation of a company for the said purpose which has met with the approval of the Governor in Council, and such persons, not less than five in number, as may be associated with him in the undertaking, do before the 1st day of October next, apply for letters patent under the Act 40 Vict., chap. 48, incorporating them as a company for the purpose aforesaid, and show to the satisfaction of His Excellency in Council, that they have complied with the preliminary requirements of the said Act, and are able and ready to establish and maintain such telegraphic communication as aforesaid, letters patent may be issued incorporating them for such purpose, under the said Act and the Act 38 Vict., chap. 26, with the powers and privileges, and subject to the obligations provided by the said Acts, and with the exclusive privilege of landing a telegraphic cable or cables on the said Pacific Coast during twenty years; but subject also to the following conditions:—

(1) The telegraphic communication between the two continents shall be completed within five years from the date of the charter, and shall be thereafter regularly and efficiently maintained;

(2) The rates to be charged for messages shall be moderate and subject to approval by the Governor in Council;

(3) Any further conditions which may be inserted in the Act to be passed in this behalf or in the charter granted under it;

(4) Default on the part of the company to perform the said conditions shall subject them to the forfeiture of their charter.

He said: Mr. Sandford Fleming some time last year communicated with the Government on the importance of having telegraphic communication open from Canada to Asia. The Government, on the report of the hon. Minister of Railways, considered the matter, and thought it of such importance that they should grant, subject to the approval of Parliament, conditions or advantages to Mr. Fleming and the company to be formed by him, in order to secure that communication, and that it should be a Canadian one. The importance of securing telegraphic communication with Asia may be well appreciated now when we are expending large sums of money to build a railway across the continent and complete our railway communication from ocean to ocean. We are not going to the Pacific Ocean for British Columbia alone, but in order to compete there for the trade of the world, for the trade especially of those countries with which we will, no doubt, be more intimately connected by trade—I mean China and Japan. Under those circumstances, it cannot be a matter of indifference whether we should have telegraphic communication between those countries and Canada or not. We must have felt more than once the difficulties of our position at different periods when, having to communicate between Canada and England, we had to do so across the United States territory. These lines might possibly not be open to us at certain periods. Communication between America and the continent of Asia should not be left entirely in the hands of our powerful neighbors and friends, the United States. It should be a pride for us, as a country, that in all matters of this kind, when we can afford it, Canada should have a share in these great works. Under these circumstances the Government passed the following Order in Council:—

17th June, 1880.

On a memorandum dated 20th May, 1880, from the hon. the Minister of Railways and Canals, representing that a proposition has been received from Mr. Sandford Fleming having in view the extension of the Pacific Railway Telegraph to Asia by sub-marine cable.

That the scheme, which has been treated at length by Mr. Fleming in his last report as Engineer-in-Chief of the Canadian Pacific Railway,

comprises the formation of a company and the grant of certain concessions on the part of the Canadian Government, namely:

1st. The exclusive privilege of landing a submarine cable on the Pacific coast of Canada.

2nd. The privilege of placing a wire for cable business on the posts of the Pacific Railway when erected, and that Mr. Fleming requests that these concessions may be made to himself individually, as an initiatory step.

That the report of the Chief Engineer of Government railways in operation, holds that great advantage would accrue to Canada through the carrying out of this scheme.

The Minister accordingly, upon such report and the advice therein contained, recommends that the concessions stated be granted to Mr. Fleming upon the following conditions:—

1st. That a substantial commencement of the work be made within three years, and that the cable be laid across the Pacific Ocean within five years from the date of the completion of the overland line.

2nd. That after the cable connection is made the sub-marine telegraph be satisfactorily maintained for purposes of traffic, and be operated efficiently.

3rd. That unless otherwise authorized by the Governor General in Council, the maximum rates of charges be not higher than those mentioned in Appendix No. 24 of the Canadian Pacific Railway Report of 1880 above referred to.

4th. That the Government reserve the right to take possession of the whole at any time after completion under payment of a sum equal to the capital expended, together with a reasonable percentage added.

5th. That the suggested terms of arrangement be subject to the approval of Parliament.

The Committee submit the above recommendation for Your Excellency's approval.

Mr. Fleming having had communication of this document, and feeling that the time had come for him to ascertain how far he could succeed in the undertaking, communicated with capitalists in England and in Canada. He has ascertained that a powerful company could be formed if Parliament would put the company in a position to receive a charter and have the privileges asked for. His intention is not to ask for any special powers, for the right to lay a telegraph line across the Atlantic Ocean or across the Dominion of Canada. He intends taking advantage of all the existing lines, or the projected telegraph lines, between the Pacific Ocean and the Atlantic Ocean, and, therefore, using the posts of those lines for his wires, and when he reaches the shores of Alaska, through Canadian territory, he will have the choice of a number of cables. The company will not ask for any special privileges, but will use those cables. The company intend to start from Nanaimo, where there is already a telegraphic line, and go as far north or north-west as Quatsino, one of the extreme points of the Island of Vancouver. From Quatsino the cable will be laid in as direct a line as possible to Walvis Bay, in Japan. Between Quatsino and Walvis Bay the Aleutian Islands will be touched and the communication made useful to them. But that is not a necessity, and the cable may be laid without touching those Islands. From Walvis Bay the line will be extended across the Island of Yesso to Satauporo. The Island of Yesso is, I understand, about as large as Newfoundland, and enjoys about the same climate. But the interior of the Island has not been explored, and therefore it is impossible, just now, to say whether the line should go across that Island, or follow the shores. At all events from that point, the line will reach Yokohama, and Yeddo will probably be put in immediate communication with all the important telegraph lines of Asia. I understand that Japan has no less than 8,000 miles of telegraphic lines; therefore it is important to be in communication with that country, especially when the communication between Shanghai and Hong Kong is complete, and that communication from that point with India, Calcutta and Singapore exists. Thence lines extend to Australia, as far as Melbourne. So by this cable across the Pacific Ocean, under the charter petitioned for, Canada would be in communication with the whole continent of Asia, and with Australia. Our telegraphic communication across our own continent being complete, and also our telegraphic connection with England, one can understand the importance, not only to Canada but to the Empire, of the communication now proposed. Fleming

and Company do not ask any subsidy from the Government, but simply the privileges mentioned in the resolutions. Our telegraphic lines on Vancouver Island reach as far as Nanaimo, and the Government may find, when this matter comes up again, that it may be to the advantage of the Dominion to extend the lines to Quatsino, instead of leaving it in the hands of a company. But just now the power asked for is to lay a cable across the Pacific from Quatsino as far as the Island of Yesso in Japan. The privileges asked for are very short. The most important one is that this company shall have the exclusive privilege of landing a telegraphic cable or cables on the east Pacific coast for twenty years. Without that assurance it would be impossible for any company to undertake a work of this kind, and sink five, six or seven million dollars in the Pacific. No company would enter upon such a work without exemption from competition for this period, except, perhaps, with the object of being bought out. Therefore those privileges are asked for. One of the conditions the Government imposes on the company is that "the telegraphic communication between the two continents shall be completed within five years from the date of the charter, and shall be thereafter regularly and efficiently maintained." I do not think that hon. gentlemen will consider this delay is a very long one, especially for a work of this kind. When we go into Committee I will ask for a change of the date from the 1st October to the 1st January next. Mr. Fleming has informed me, since the resolutions were introduced, that, having to go to England to arrange matters in regard to the scheme, and also to Japan, it would be four or five months before he could return; and that, therefore, it would be risky to make the date 1st October. The additional three months would give him the time not only to complete his arrangements in England, but also in Japan. Powers or concessions have been obtained for this company in Japan to land on its coast their cable or cables. The Japanese Government are perfectly pleased at the prospect of a cable between the two continents.

Sir ALBERT J. SMITH. Have they given a twenty years' monopoly too.

Mr. LANGEVIN. I cannot say. I understand the company have an exclusive privilege in Japan also.

Mr. CURRIER. There is a Bill before this House at the present time for the purpose of incorporating a company to lay cables over this same ground, and not only from Europe to Canada, but from British Columbia to China and Japan, and this company do not ask Parliament for exclusive privileges for twenty years, as is proposed by the resolutions. I think that it is only fair and just that the company to which I refer should be placed on the same footing as the other, especially as they do not ask for exclusive rights. The company has been regularly formed in England, the articles of association are complete, and they are prepared to put up \$800,000 in cash as a guarantee that they will carry out their undertaking within five years.

Mr. LANGEVIN. Does the hon. gentleman refer to the European, American and Canadian Cable Company?

Mr. CURRIER. Yes; that is the one.

Mr. LANGEVIN. If the hon. gentleman will look at the Bill he will find that it does not refer to a Pacific cable at all. The preamble reads:

"Whereas the persons hereinafter mentioned have, by their petition, prayed that an Act of incorporation may be granted to them for the purpose of establishing telegraphic communication between the Dominion of Canada, the United Kingdom and other countries."

Are we to be tied down simply because there is a Bill before the House proposing to establish telegraphic communication between the Dominion of Canada, the United Kingdom "and other countries." Again, they speak of their desti-

Mr. LANGEVIN.

nation in the words "or elsewhere" and there is no mention whatever of laying a cable across the Pacific. It does speak of a cable across the Atlantic, so that I think my hon. friend has been misinformed as to the purposes of the company, so far, at least, as they are expressed in the Bill, which is what we must judge by. The word "Pacific" is not mentioned in the Bill, so that there will be no clashing between the two companies. One will build a cable across the Atlantic, the other across the Pacific, and the two cables will be connected by a telegraphic line across the continent of America upon Canadian territory.

Mr. CURRIER. This company is formed for the purpose of laying, maintaining and working sub-marine cables between Great Britain and this continent—between Europe and the Dominion of Canada—by way of Sable Island, and also to lay branch lines to the West Indies and a line from British Columbia to China and Japan. This is the ground they propose to cover, and I am prepared to satisfy the House, or any Committee of the House, that they are able and willing to do the work, and that they have the means subscribed for the purpose.

Mr. LANGEVIN. The articles of association may make the declaration mentioned by the hon. gentleman, but, so far as we are concerned, we have to do with the Bill before the House, which is just as I have stated. This is not the first time that powers have been asked by petition or articles of association, but which have not afterwards been confirmed by Parliament, which limit the powers as it may see fit. As I stated before, there is no mention of the Pacific Ocean; it is simply "other countries" or "elsewhere," and they might as well seek to carry their lines to France, or Africa, or Australia. It is evident that we cannot have our hands tied in that way.

Mr. BLAKE. I think that if anyone is seeking to tie our hands it is the hon. Minister of Public Works, by the resolution he proposes, rather than the hon. member for Ottawa (Mr. Currier). The tying proposal comes from the other side of the House. I quite admit that the hon. gentleman (Mr. Langevin) may be able to convince the House—I do not desire, in the slightest degree, to prejudice the question—that it is necessary that we should secure the operation of this line by means which the hon. gentleman admits are, on general principles, objectionable—that is a twenty years monopoly. But if it be the case, as stated by the hon. member for Ottawa, that a respectable corporation has been associated in England for the express purpose of laying this and other lines; if this company is prepared to deposit with the Government the sum of \$800,000 as a guarantee that they will do the work in the same space of time as is proposed by the corporation which the hon. Minister favors—to maintain it and operate it afterwards without the monopoly—then I say that at first sight there is a considerable difference between the merits of the respective schemes. The sum of \$800,000 is certainly a considerable guarantee upon such a work; and I think we shall at least have to consider a little more, and have a little more explanation than the hon. gentleman appears at present disposed to give us, before we should decide in favor of the scheme which the hon. gentleman seems to favor. Now, I say that the question of monopoly is a very serious one. It is a very serious one with reference particularly to telegraph lines, communication by which has reached such enormous progress and development in the last few years. It is of the greatest consequence that we should carefully consider any plans which involve an exclusive right to telegraphic communication at all. I hold that to be very clear. If we do find ourselves in the end obliged to do so, I think it will be incumbent upon us to watch with the greatest care the surrounding provisions. For instance, if I rightly understood the provision of the Order in Council which the hon. gentle-

man read, it was that the rates should be not exceeding those which are mentioned in a certain report of the Pacific Railway survey. My own impression is that it would be objectionable in the last degree to establish a minimum for cable messages for twenty years to come. I think there may be such improvements before twenty years are over, such expansion of traffic, that any figures which are made to-day would be perfectly fabulous in a short time. It may be otherwise, but we ought to have our hands perfectly free. It also occurs to me that this company does not offer, as far as I can judge, what have been found to be essential guarantees for maintaining telegraphic communication by a long stretch of ocean. As far as we can judge an essential guarantee is more than one cable; we cannot depend upon a single cable. They propose to have power to lay a cable or cables, but they do not propose to put themselves under any obligation to lay more than one; and if you do not insist upon laying more than one, all they will be bound to do in any reasonable interpretation of "one telegraph line," is to repair a breach as rapidly as possible when a breach is made, and in doing that they will, in the spirit, maintain telegraphic communication. I think, therefore, that unless things are shown to be different in the Pacific from the Atlantic, any provision partaking of the character of a monopoly ought to have some measure of security. These are the only observations I desire to make at this moment, because I think none of us have been able thoroughly to apprehend the whole effect of the hon. gentleman's statement and the particulars of the Order in Council, without an opportunity of giving them a more careful consideration. I desire to say, further, that we ought to have some evidence before us of the concession which the hon. gentleman says he is informed has been granted by the Japanese Government. He ought to know that in some way or other. Does the hon. gentleman know it by telegraph or by word of mouth? If he knows it by any formal document it should be laid before this House.

Mr. CAMERON (Victoria). I think it is well to go slowly when it is proposed to create a monopoly for twenty years in telegraphic communication so important as that will, no doubt, become hereafter between the Dominion of Canada and the continent of Asia. We ought to be very careful to see that the only way in which that communication can be obtained is not by the granting of a monopoly. I have been informed—I do not know how truly, I think it is the case—that the basin of the Pacific, even more than the Atlantic, presents the characteristic that the best available point for crossing it is opposite the territory of British North America; that in fact the depth of the Pacific Ocean, when you go as far south even as California, is so great that it is almost impossible with advantage to lay a cable across there, while in the Atlantic it has been found that the most advantageous point for laying a cable is opposite that part of the continent of America which belongs to Canada. If that be the case, and we possess on the Pacific seaboard, as we do on the Atlantic seaboard, the best available point for laying a cable, it is very important that we should be careful not to restrict our hands, and in fact the hands of the whole world, as we would practically be doing, by giving an exclusive privilege which would prevent the attainments and continuance of an efficient cable service across the Pacific Ocean. I do not know what information the Government may possess as to the ability or desire of other countries to lay a cable across the Pacific Ocean. I know nothing of the company which the hon. member for Ottawa (Mr. Currier) has just spoken of, but he states that that company is prepared to undertake the laying of this cable. I am aware from the public press—and I do not speak from any other information at the present time on this subject—that a company has recently been formed in the United States for the purpose of, and

with functions enabling them, to lay a cable across the Pacific as well as across the Atlantic, and if the fact be that which I have previously referred to, namely, that Canada presents the best point to start from, we ought to be very careful to see that we are not granting an expensive privilege too soon, or without an absolute necessity for doing so. I think also that there is inconsistency between the spirit of any such legislation as that which we are now asked to sanction, and the existing law, the Marine Electric Telegraph Act of 1875, which is still on our Statute-book, notwithstanding more than one effort to repeal it. That provides that any new company which has exclusive privileges to land in Newfoundland or elsewhere, shall be tabooed from the coast of Canada, and yet while that is the law of Canada we are asked here to grant extensive privileges on the other side of the continent to a company to lay a cable from the Pacific coast. Moreover, these resolutions provide that the company so to be incorporated shall be subject to the provisions in this very Act, namely, the Act 38 Victoria, Chap. 26. That Act provides:

"Each of the companies mentioned in the first section of this Act, or which may become incorporated in Canada under the next preceding section, is prohibited from entering into any agreement for the transmission or interchange of messages, or for participation in profits, or for the union or consolidation of capital stock, with any company or association of persons, which at any time may possess or acquire any such exclusive privilege of landing wire or cable for a marine telegraph, in Newfoundland, or the Danish possessions, and where an equal or reciprocal right is not conceded as in the proviso to the said next preceding section mentioned."

Now, this company that is proposed by Mr. Fleming and his associates would, inasmuch as it is declared to be subject to this Act, be prohibited from making an arrangement with the Anglo-American Company, because that company possesses exclusive privileges on the Atlantic side, and yet the new company would have exclusive privileges on the Pacific side, an inconsistency to which we ought not rashly and without the very strongest necessity, commit ourselves by parliamentary action. For these reasons I confess I look with considerable hesitation upon the propriety of passing these resolutions or committing ourselves, with the information now before the House, to the creation of a monopoly for twenty years, such as proposed.

Sir RICHARD J. CARTWRIGHT. I think in any case the House ought to be put in possession of the plan which is said to have been made by Mr. Sandford Fleming to the Governor in Council, as well as the Order in Council. The hon. gentleman was good enough to read one of those documents, but I think both ought to be printed and placed in the hands of the House before we are asked to go on with the consideration of this subject. Of course, if the hon. gentleman thinks it more convenient to go into Committee and give explanations there, I have no particular objection, but I really think we ought to have detailed information before we are asked to proceed further with a question of this magnitude.

Mr. MACKENZIE. The hon. gentleman, in replying to the hon. member for Ottawa, complains that the proposal to extend the line beyond the limits of Canada to the western side of the Pacific coast, was mentioned incidentally only. The hon. Minister proposes to organize this company, if it has not already been done, under the Act Chap. 26, 1875. That is an Act passed by the Parliament of Canada for the purpose of enabling companies to organize anywhere and construct marine cables; and yet the wording of that Act is as follows:—

"This Act shall apply to every company or association of persons hereafter authorized by any special or general Act of Parliament of Canada, or under the provisions of this Act, to construct or maintain telegraphic wires or cables, in, upon, under or across the gulf, bay or branch of any sea or any tidal water within the jurisdiction of Canada, or the shore or bed thereof respectively, so as to connect any Province with any other Province in the Dominion, or to extend beyond the limits of any Province."

The only words the hon. gentleman has upon where to base the organization of this association and give it power to go to Asia, are those at the end of the paragraph: "so as to connect any Province with any other Province of the Dominion, or to extend beyond the limits of any Province." The Act under which this association is proposed to be organized will not read well. There are several clauses besides the one mentioned by the hon. member for Victoria (Mr. Cameron), that could not possibly apply to this case, as there were special circumstances demanding attention at that particular time. I cannot sit down, however, without expressing myself very strongly against the creation of this monopoly; and I am glad to find that, although the sentiment of the House recently was strongly in favor of monopolies, that it is now expressing itself very strongly against them. I am glad also to find that the hon. member for Ottawa (Mr. Currier), although he voted a few days ago that \$1,600,000 was absolutely unequal security, he now thinks \$800,000 quite sufficient to enable the company to be organized.

Mr. LANGEVIN. In reply to the observations made by the hon. member for West Durham (Mr. Blake), I may say that the tariff of rates is not to be fixed by these resolutions. As to the question of the number of cables, the company may lay down more than one cable, but we do not make it obligatory for the company to do so. It is in the interest of the company, if they decide to spend millions on this enterprise, to see that after one cable has been laid it be supplemented by others, to enable them to obtain the returns they must expect from their investment. Of course there must be a beginning. The company must be authorized to raise money to lay a first cable, and then, no doubt, they would afterwards proceed to lay a second and third cable. With respect to the attitude of the Japanese Government, in a letter written by Mr. Fleming to me the other day he tells me this:

"The Japanese Government have also endorsed the scheme, and conceded landing privileges at a suitable point in Yesso. It is satisfactory to know that substantial progress has been made in that direction."

Of course, I do not expect Mr. Fleming could obtain more information than that, because the matter has been in progress only a short time. I have no doubt this information will be supplemented by fuller information before the report of the Committee is assented to by the House. The hon. member for Victoria (Mr. Cameron) spoke of the basin of the Pacific Ocean, and clearly showed that the best point to lay a cable was from the Canadian shores, opposite British Columbia, across to Japan. It is the shortest route, and the one where a cable would be least liable to be disturbed. Perhaps the following figures, regarding cable distances, will possess interest to the House:

<i>To be Constructed:</i>	
	Eng. miles.
From Nanaimo to Quatsino .....	230
From Quatsino to Walvis Bay at north-east angle of Yesso, including stock .....	4,240
From Walvis Bay to Satsuporo .....	300
<b>Total to be constructed .....</b>	<b>4,770</b>
<i>Established:</i>	
	Eng. miles.
From Satsuporo to Nagasaki, near south-west angle of Japan .....	1,100
From Nagasaki to Shanghai .....	530
From Shanghai to Hong Kong .....	300
<b>Total established .....</b>	<b>1,930</b>

The hon. member for Victoria (Mr. Cameron) remarked that the Acts mentioned in the resolutions were in conflict on certain points with the resolutions now introduced. The intention is that, after the resolutions have been assented to and the Bill introduced upon them, a clause will be

Mr. MACKENZIE,

introduced to remove the discrepancies between this and the general law. My hon. friend from Victoria thinks it may be too soon to do what we propose. Well, sometimes a little delay causes us to lose a great opportunity of obtaining a great advantage for the country. Our neighbors across the line are alive to the importance of this communication, and Mr. Fleming and his friends have not begun a single hour too soon. If we do not secure this great advantage for Canada now, foreign companies may take the matter up, and we may lose it, at least, for many years. The hon. member for West Durham and other members have spoken about the exclusive privilege to be given to this company for twenty years. There is no doubt that in ordinary undertakings, exclusive privileges should not be given. But from the information I have, I believe that we cannot expect capitalists to invest millions of money in this undertaking, unless they have some security that next Session we shall not be incorporating two or three companies to compete with them. They are not going into this matter simply on patriotic grounds. Mr. Fleming, no doubt, shows a good deal of patriotism in undertaking it; but, like all other men, he would not wish to sink his money and have no return for it. Mr. Fleming, writing to me to-day on this subject, says:

"My object is to see a telegraph to Asia, established as a great Canadian line, and I will gladly join with those most likely to assist in accomplishing this speedily. Nothing can possibly be gained by opposition, except to defeat the whole scheme."

Mr. MACKENZIE. Whose opinion is that?

Mr. LANGEVIN. Mr. Fleming's. He agrees with me in the importance of dealing with this matter speedily, and not leave the opportunity to be taken advantage of by our enterprising neighbors. I have it from Mr. Fleming himself that, without the exclusive privilege mentioned here, he does not believe the company would undertake the work. My hon. friend from Ottawa (Mr. Currier) desires this other company to have the power which is sought for in this resolution. That would be defeating the very object the Government have in view. We believe one company should be incorporated to establish this line, and in order to do that, it is necessary for them to have the exclusive privilege. That privilege is limited to twenty years, which, in the life of a man, is a long time; but in the life of a nation is short. If we can secure this line, it will put England in communication with Asia through our own territory. We must not be dependent always on our neighbors. Having made these observations, I hope the hon. gentleman will allow the motion to pass.

Sir ALBERT J. SMITH. I think that the Government should not press this matter. It is too important to be decided in a day or two; we ought to have an opportunity for deliberation. The principle of giving exclusive right for twenty years to Mr. Fleming and half-a-dozen others associated with him, to build a telegraphic communication from British Columbia to Asia, is one that involves an enormous concession. After the hon. member for Ottawa has stated that a *bond fide* company has been organized with a view to construct this work, and is willing to put up \$800,000 as a guarantee of their sincerity, it seems to me the Government should delay the resolutions in order to give this proposition ample consideration. Surely the hon. Minister does not desire, when no necessity exists for it, to give the exclusive monopoly for twenty years, of telegraphic communication from British Columbia to Asia, to Mr. Fleming and his associates. It is not in accordance with the sentiment of the House that such a concession should be made, and before we are asked to make it we ought to have every means of information before us; we ought to see the plan of Mr. Fleming and the whole correspondence in reference to the subject.

Mr. DeCOSMOS. Every hon. gentleman will agree with the hon. Minister of Public Works that it is desirable to have a cable connecting the shores of British Columbia with those of Asia. But I question whether there are a very large number who are willing to grant exclusive right for twenty years for this cable communication. I am not prepared to cast my vote in favor of a monopoly for twenty years. I have a special reason for making that statement beyond the question now before the House. I introduced the first Telegraph Bill ever introduced to enable a company to stretch their wires on Vancouver Island. In 1864 we offered a company the twenty years exclusive privilege of operating the line. When the Bill went to England, I believe it was referred to the Board of Trade, or some other council there, and a despatch came out asking the Provincial Government to repeal the exclusive privilege. In 1865 we had to pass a Bill of which this is a portion of the preamble: "Whereas it is contrary to the policy of Her Majesty's Government to grant exclusive telegraphic privileges." I take it that so long as we are under Imperial rule, so long will the Imperial Government insist that no monopoly shall be granted. I am not aware that any monopoly has been granted with respect to telegraphic communication in connection with Canada.

Mr. MACKENZIE. No.

Mr. DeCOSMOS. I look upon this Bill as simply a money-making Bill, like all Bills of a similar nature. It is admitted by the Minister of Public Works, that unless Mr. Fleming can get the exclusive privilege for twenty years he does not want to have anything to do with forming a company. To bring it right down to the point, it is simply this: Mr. Fleming or his associates believe they can make money by getting an exclusive right which they can sell in the markets of the United States, Great Britain or Europe, and they will be very handsomely paid indeed. I trust this House will follow the policy laid down by Her Majesty's Government in 1864-65, and deny to any company the exclusive right for twenty years, or longer or shorter period, of operating telegraph lines in any portion of this Dominion. The United States Constitution recognizes no such thing as a monopoly, nor does the constitution of any State recognize it. I can say, with respect to the line contemplated, what great advantage can Mr. Fleming and his associates gain, even in the money market, except to make a sale of it at once. 250 miles south of Quatsino Sound, we have Cape Flattery in Washington Territory, and from there a cable can be stretched across the ocean on very nearly the same line as the proposed cable. I understand it has been proposed in San Francisco to stretch a line across the ocean to Japan and China. At present they have to go round by the way of Europe and across Asia, to reach those countries. In view, therefore, of the one point, that of monopoly, I sincerely trust this House will not recognize any such principle.

Mr. LANGEVIN. After hearing the remarks of the hon. gentleman, it is only due to the House that I should ask the postponement of those resolutions. Perhaps the hon. member for Ottawa will be in a position to communicate to my department this statement that he was kind enough to make to the House, and put the Government in a position to deal with the matter on Thursday.

Mr. CURRIER. I have no objection to what has been suggested by the hon. Minister of Public Works. I rise to correct a little mistake I made in naming \$500,000. The amount is \$750,000—£150,000 sterling—which the company are prepared to put up before the House adjourns.

Mr. McCARTHY moved the adjournment of the debate.

Motion agreed to.

## SECOND READINGS.

The following Bills were read a second time, considered in Committee, and reported:—

Bill (No. 58) to provide for the salaries of an additional Judge of the Court of Queen's Bench and an additional Judge of the Superior Court in the Province of Quebec.—(Mr. McDonald, Pictou.)

Bill (No. 64) to continue in force for a limited time the Act passed in the forty-third year of Her Majesty's Reign, entitled: "An Act respecting the administration of Criminal Justice in the Territory in dispute between the Governments of the Province of Ontario and of the Dominion of Canada."—(Mr. McDonald, Pictou.)

## UNIFORM CURRENCY.

The following Bill was read the second time, considered in Committee, read the third time, and passed:—

Bill (No. 66) to extend the Act establishing one uniform currency for the Dominion of Canada to the Provinces of British Columbia and Prince Edward Island.—(Sir Leonard Tilley.)

## SUPPLY.

House resolved itself into Committee of Supply.

26. Dominion Police ..... \$13,500 00

Sir RICHARD J. CARTWRIGHT. What is the number of the force at present?

Mr. McDONALD (Pictou). Twenty, I think. It is either twenty or twenty-one—I am not sure which—but at all events the number is the same as last year, and one more than two years ago.

28. St. Vincent de Paul Penitentiary ..... \$82,740 69

Mr. BLAKE. Is the number of inmates the same as last year?

Mr. McDONALD (Pictou). Yes.

Mr. BLAKE. Will you state why the number of guards has been increased?

Mr. McDONALD (Pictou). The Inspector called my attention to the fact that four more guards were necessary, and I directed him to make a special report on the subject, which he did, strongly urging the addition. I shall be able to hand the hon. gentleman the report this evening.

Sir RICHARD J. CARTWRIGHT. I notice that Kingston, which has nearly double the number of inmates of that of St. Vincent de Paul, has only 77 officers, while the latter has 60. Of course there may be special reasons for this large staff but the disproportion is considerable.

Mr. McDONALD (Pictou). The observation is quite just, but I have found it quite impossible to lessen the number.

Mr. BLAKE. What is the state of the penitentiary structure? Is the work of construction complete?

Mr. McDONALD (Pictou). The work of construction is completed and the new wing is occupied, though a further extension is required, because, as the hon. gentleman probably knows, almost every year we have to send some prisoners from that penitentiary to Kingston. It is contemplated to add another wing, but at present works of construction are not in progress.

In answer to Mr. BLAKE,

Mr. McDONALD (Pictou). I am told the reduction is in consequence of work that had been heretofore carried on under the direction of the warden, and is now transferred to the Public Works Department. Consequently, the warden has been able to make a reduction in his estimate for tools and

material. The decrease in maintenance, the warden states, is in consequence of lower prices in articles this year than last.

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. McDONALD (Pictou). The increase in the item for uniforms from \$1,182 to \$2,891, arises from the greater number of guards and officers in the institution requiring uniforms this year than was the case last year. It has been asked for by the acting warden to enable him to uniform the whole of his staff, as is now allowed in the other penitentiaries.

Sir RICHARD J. CARTWRIGHT. How many uniforms would that represent? I would like to know what the uniforms cost, as a matter of information. Supposing that forty or fifty were required they would cost \$60 or \$70 a piece.

Mr. McDONALD (Pictou). I have not a memorandum of the number of uniforms required.

Mr. BLAKE. I observe there is one sergeant instead of two; is it intended to have but one in the future?

Mr. McDONALD (Pictou). Yes.

Mr. BLAKE. I think that is a great improvement. If this is a superannuation it should have been accompanied by a re-adjustment of salaries, that would have given the other sergeant something more. That is what we contemplated doing.

27. Kingston Penitentiary.....\$126,894 29

In answer to Mr. BLAKE,

Mr. McDONALD (Pictou). No new uniforms are required the coming year; \$1,878 is considered sufficient to make the necessary repairs, which is a saving from last year of \$1,155. On the item of maintenance the warden has been able to effect a saving of \$3,146, on account of the lower prices of supplies. On the item of working expenses it is necessary to add \$3,600, in consequence of the advance in the price of fuel and some other articles. On capital account \$2,100 has been placed in the Estimates, to enable the warden to complete the forcing pump, for which the sum of \$5,000, voted last year, has been found insufficient.

Mr. BLAKE. The hon. gentleman determined upon adding a new industry last year, that of a grist mill.

Mr. McDONALD (Pictou). We did not proceed with it I have not got the details to show upon which items the economy has been effected. The warden has sent them down in full; they must be in the office, and I will be glad to hand them to the hon. gentleman.

Sir RICHARD J. CARTWRIGHT. Perhaps the hon. Minister will give us some details as to the way in which these convicts are employed.

Mr. McDONALD (Pictou). The hon. gentleman will find more information in the report laid on the Table than I can give. My hon. friend, I dare say, knows more about Kingston Penitentiary than I do, as I have only been there once. I understand that a large number are engaged on the farm, a large number at quarrying, and from 70 to 80 in a lock factory; there are also a variety of other industries.

Mr. MACKENZIE. I am shocked to hear from the Minister of Justice himself that the present Government are carrying on in this penitentiary industries which compete with free labor. I recollect when the Prime Minister was condescending enough to attack the late Government on this question. The Minister of Militia also delivered a lecture last year on the iniquity of allowing competition between convict and free labor. Yet we now learn from the Minister of Justice that a new industry has been started, which employs seventy or eighty men.

Mr. McDONALD (Pictou).

Mr. GAULT. It is a very old industry.

Mr. MACKENZIE. It was dead for years; but this Government, which professed when in Opposition, to favor the protection of free labor against convict labor, has revived this industry, and put seventy or eighty convict mechanics into competition with the same number of free mechanics. I want the Minister of Militia to explain why he has accepted office in a Government which violates his principle in so shocking a manner. If he wants time to consider what he should do, I have no objection to wait another day.

Mr. McDONALD (Pictou). The ground of that vexed question is too sacred for me. Ever since I have had a seat in this House, the hon. gentlemen opposite and the leader of the Government have had a tilt with reference to this subject, and I prefer to leave it in such able hands. With reference to the lock industry, I have only to say that I found it in operation when I accepted office, and it still continues. I take for granted that it was in operation before, under the direction and with the assent of the hon. gentlemen opposite.

Mr. MACKENZIE. The hon. gentleman is mistaken.

Mr. McDONALD (Pictou). I hope the hon. gentleman will not assume that I am interfering with the right of himself and the leader of the Government to discuss that question to the fullest extent.

Mr. MACKENZIE. The hon. gentleman cannot get off in that way. It is in his department, and he has to state the principles on which the Government has acted. I ask him what the Government are going to do in this matter?

Sir JOHN A. MACDONALD. Do not spare him on my account.

Mr. MACKENZIE. I know what the principles of hon. gentlemen opposite were when they were in Opposition; they had none at all, and the Minister of Justice now proposes to follow his leader in that respect. Let us know whether this shocking competition with free labor is to continue or not. I have not yet received an answer from the Minister of Militia.

Mr. CARON. I think the hon. gentleman has ill-selected the item on which to get up this discussion. There could be no competition so far as the lock factory is concerned, as it happens to be the only lock factory in Canada.

Mr. ANGLIN. The hon. gentleman's colleague, the Minister of Finance, will tell him there has been a lock factory for several years at Moncton, the existence of which he regards as a proof of the triumph of the National Policy.

Mr. CARON. The lock factory at Moncton has only commenced.

Mr. ANGLIN. It was opened three years ago.

Sir JOHN A. MACDONALD. I congratulate the hon. gentleman (Mr. Mackenzie) on the vigor with which he is able to administer these rebukes—long may it be so. I am informed, however, by the hon. Minister of Finance that this lock factory at Moncton was only built last summer, and therefore no injury has been done to this infant industry. I think that when the manufacture of locks becomes seriously compromised by convict labor, my hon. friend the Minister of Justice will find some other means of employing these people. Depend upon it, this industry at Moncton, as soon as it is hurt, will cry out, but until they or other parties complain, I think we may not disturb ourselves. I still am of the opinion, I have always been, that convict labor, whether in common gaols or in penitentiaries, should be employed as much as possible in industries that are net in existence or likely to be in existence in the Dominion. I have no doubt that the ingenuity of my hon. friend the Minister of Justice and those who have the management of the penitentiaries, will discover various means of

employing convict labor so as not to interfere in any appreciable degree with industries outside.

Sir RICHARD J. CARTWRIGHT. Is there any industry introduced into the Penitentiary of Kingston within the last two years which differs in any respect from the industries used there between 1873 and 1878, and if so, what?

Mr. MILLS. The hon. Minister of Militia says that when this industry which has been started at Moncton becomes strong, the Government will give it some consideration. The hon. gentleman seems to think that while it is weak it does not require any consideration. It must show its ability to thrive without Government support and in spite of Government opposition, before the Government will come to its aid. Then the hon. First Minister tells us, the Government will take care that the convicts do not learn a trade which will be of any possible use to them after they leave the institution. They must only be employed on certain branches that do not come into competition with any branch of industry in the country, so that when they are discharged they will find they have been engaged in employments for which they cannot find any use. Convicts have not a very large amount of capital, and will have, therefore, to seek employment from those who furnish the capital and conduct the existing industries of the country. But the hon. gentleman will not permit them to learn, when serving their term of imprisonment, any industry of that sort, because that would be competing with the ordinary industries of the country. When those men are taken from outside and confined in the penitentiary because they have been doing nothing but seeking to live at the expense of others, they are put to forcible labor, but the right hon. gentleman says: "We will take care that by your labor you hurt nobody else." If they were outside, working at an honest industry, they would not be hurting anybody else, but because they are put within four walls their labor must prove disastrous, and the Government will take good care that they do not do more harm by their industry than they did while outside by their idleness. If the hon. gentleman is right, those men are infinitely more detrimental to the ordinary interests of the country when confined than when running at large. If that is the view of the Government, it seems to me that the penitentiary should be locked up and the criminals left free outside, where they may do some mischief, but less mischief than they would do working at industries which will come into competition with similar industries in the country. The hon. gentleman has given us a very excellent demonstration of the general policy of the Administration. The same principle which the hon. gentleman has enunciated with so much force and so much perspicuity—for we have no difficulty in understanding him—is the one which applies to the fiscal policy upon which the Government has sought to conduct the affairs of this country since the elections of 1878.

Sir JOHN A. MACDONALD. I admit I am not a humanitarian and a universal philanthropist like my hon. friend. I do not think it is the duty of a Government to educate, at the public expense, the thieves, scoundrels and rogues, in order that they may compete with the honest artizan outside; that is the policy of the hon. gentleman. The convict is either a mechanic, a laborer or a professional man. If he has a trade or a profession he can work at it when he gets out; if he has not, he can work as a laboring man. I do not think it is the duty of a Government to reward crime and vice by educating men beyond the trade with which they entered the penitentiary. That is not the object for which penitentiaries are built. They are built for the purpose of punishing crime, for the purpose of isolating parties who have joined the criminal classes, in order that by retirement from their evil associations they may, perhaps, be weaned from their criminal courses. I am

sure that the artizan, the tradesmen and the workingmen of this country will not agree with the hon. gentleman that it is with their money we should educate criminals to a higher degree of skilled labor than when they entered the penitentiary.

Mr. MACKENZIE asked if any of the convicts, since October 1878, in the penitentiaries, were taught trades.

Mr. McDONALD (Pictou). I cannot tell whether they are or not. I have no doubt if men are required in the blacksmith or other shops, they are taken from the general body of the convicts. So far as I am individually concerned, I dare say men, not belonging to permanent criminal classes, are better with a trade than without one. I am not dealing with that question now. I will endeavor to obtain what information the hon. gentleman requires, if he will send me a memorandum of it.

Mr. BLAKE. The hon. First Minister has made great professions on this occasion, as he made great professions for five years, when he was in Opposition, and denounced the conduct of the Government with reference to the occupations of convicts in the various penitentiaries. What change has he made in their occupations? Has any successful effort been made to make a change? Has anything been done to carry out what the hon. gentleman loudly professed for five years, when he had not the power to carry his professions into practice?

Sir RICHARD J. CARTWRIGHT. I would like, when the hon. Minister of Justice brings down the information asked for, that he would give some idea of the receipts obtained by the several penitentiaries from the labor of their convicts.

Mr. McDONALD (Pictou). The hon. gentleman will find, in general principles, the information asked for in the report of last year.

Sir RICHARD J. CARTWRIGHT. It would be very interesting to see whether any progress is made from year to year in making those institutions self-supporting.

Mr. BLAKE. The whole object of the change which was made some time ago, as to the date of the annual report, has been defeated by the course pursued in its preparation. The report was formerly prepared for the civil year, and was laid on the Table not later than 1st February; but we provided that the report should be dated up to 30th June, like the usual reports, in order that it should be prepared at such a reasonable time before the Session that it should be laid on the Table of the House by 1st February. Notwithstanding that this report is for the year ending June 30th, 1880, I see it was presented to His Excellency only on 30th January, 1881. It is very unfortunate if we are not to have the report in print for use during the Session. We might at any rate have the statistics up to a late date, to give us the late results. At present we have a stale report in point of time, and that in manuscript which we cannot read.

Mr. McDONALD (Pictou). No doubt there is some reason for complaint in this matter. But the explanation given by the officer Mr. Moylan, which is true, is, that last summer he spent several weeks superintending an investigation at St. Vincent de Paul, and it was late in the season before he could undertake the preparation of the report, when there was not enough time to have it printed and laid on the Table in the usual manner. I trust in future there will be no delays.

Mr. BLAKE. The great bulk of the Penitentiary Report consists of long and detailed reports given to the Inspector by the chief wardens of the various penitentiaries, and the Inspector's arduous labors at St. Vincent de Paul at the close of the year need not have prevented those reports, as they came in at the end of last June, from being in the printer's hands and made ready for us.

Mr. ANGLIN. I notice a very considerable increase of the salaries of officers and of the whole expenses of those establishments since 1878, when hon. gentlemen opposite obtained office. The number of officers has also been increased from sixty-nine to seventy-seven. Why were these increases found necessary? During the late Government's Administration, strong objections were made to such expenditure by the party now in power.

Mr. McDONALD (Pictou). The Estimates show that the number of officers for the Kingston Penitentiary is the same this year as last. There may be an additional guard or messenger employed occasionally, but I know of no addition to the general staff, or any alterations whatever for the last two years.

Mr. ANGLIN. There are six additional employés on the list, four of them guards at Kingston, since 1878.

House resumed.

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

#### AFTER RECESS.

House again in Committee of Supply.

29. Dorchester Penitentiary..... \$14,285 00

Mr. McDONALD (Pictou). There is an increase of \$100 on account of teamsters, and a reduction of \$2,000 on account of uniforms. On maintenance there is an increase of \$862, owing to an increase of ten upon the prison population of last year. In working expenses there is a reduction of \$10,000. It will be in the recollection of the Committee that last year there was the sum of \$16,000 placed against this item in consequence of anticipated expenses connected with the removal of prisoners from Halifax and St. John to Dorchester. That work having been accomplished, the amount is reduced to the ordinary working expenses. The capital account is increased by \$700 on account of material and the construction of a main drain and a pump apparatus in connection with it. In the industries there is an increase of \$1,134. We propose to make an extension of this building, and we shall utilize, as far as possible, the labor of the prisoners in taking the stone from the quarries in the neighborhood, and this \$1,134 is for the purpose of buying the necessary tools.

Sir RICHARD J. CARTWRIGHT. How many convicts are there in the penitentiary?

Mr. McDONALD (Pictou). The prison population is, I think, 120. We were obliged the other day to send some ten or twenty to Kingston, and there is now room in the penitentiary for eight or ten, so as to provide for any contingency.

Mr. BLAKE. May I ask how many female convicts there are in the Dorchester Penitentiary?

Mr. McDONALD (Pictou). I think only three or four.

Mr. BLAKE. It seems to me that it is likely—I hope it will be the case—that there will very seldom be as many as three or four. I know there are very few in Kingston, which takes the whole of the female penitentiary convicts from Ontario and Quebec; and I think it would be well to consider whether it is an economical plan to have the separate apartments, which are necessary for the staff, in keeping up female wards in the institution, when the average female population will be only two or three. I notice that there is a matron and a deputy matron, with their wages, rations, apartments and all the incidental expenses which are necessary in separate accommodation, and which must be far in excess of what would be required simply for the cells of the women. For a long time it has been arranged on reasonable business considerations that there should be no female wards in St. Vincent de Paul—the female convicts being sent to Kingston—and I think it would be well to consider whether such a plan would not be a reasonable business arrangement with regard to Dorchester. I would ask the hon.

Mr. BLAKE.

gentleman in this connection if he would state shortly what are the results of the closing of the old penitentiaries of Halifax and St. John. With reference to the important questions of how many of the staffs of those two institutions the hon. gentleman was able to employ at Dorchester, and of what guards, how many have been superannuated, and at what cost and to what extent gratuities have been paid. It is not likely the hon. gentleman was able to take on all the staff, but no doubt he was able to take on some of them.

Mr. McDONALD (Pictou). I have not the information to-night, but I will be able to supply it very fully in the morning. Every man who was willing and fit to be transferred was taken over, and the only one who was superannuated was well entitled to that consideration. The maintenance of female wards is no doubt a serious item, but as the hon. gentleman will recollect, female prisoners were kept both at St. John and Halifax, and transferred to Dorchester. It was a long distance to send them to Kingston, and I was not able then to determine what number I might possibly require to keep in Dorchester. I am quite free to admit, however, that the question of effecting a saving in that particular is well worthy of consideration.

Sir RICHARD J. CARTWRIGHT. I would call the attention of the Minister to the fact that by the Estimates of 1878 Halifax and St. John together has only thirty-five officers, and those included two wardens, two accountants, four chaplains and two surgeons. Of those no less than five, of course, were saved by the amalgamation, yet I observe here that forty-four officers are required in Dorchester Penitentiary, and *prima facie* the increase from thirty-five to forty-four appears unusually large.

Mr. McDONALD (Pictou). The increase is in the guards. The penitentiary, since it was opened, has been, until recently, very poorly protected. There were 130 people there, with no means of confinement whatever. At St. John there was a wall, and half-a-dozen guards could have care of as many convicts as fifteen or twenty guards at Dorchester. During the summer the convicts have worked in the field, on a large farm of 400 acres, and also in the quarries. It was absolutely necessary, in the opinion of the officers, that the number of guards should be largely increased. We shall probably be able to reduce the number by the end of the year. The officers are: warden, deputy warden, accountant, surgeon and chaplain, the same as in other penitentiaries, except that there are a keeper and a matron at Dorchester, which the other institutions have not.

Sir RICHARD J. CARTWRIGHT. Last year we were given reason to hope that a saving would be effected in the charges of management. I would call the hon. gentleman's attention to the fact that at Kingston, for 775 convicts, there are only seventy-seven officials of all kinds; at St. Vincent de Paul there are sixty officials for 400 convicts; here, for 130 convicts, forty-four officials are required, three times as many, proportionately, as are required at Kingston, and about double the number required at St. Vincent de Paul. I should hope when the requisite erections are put up the number of keepers can be reduced.

Mr. McDONALD (Pictou). The disproportion is only in the guards. There are forty three of these at Kingston, twenty-four at St. Vincent de Paul and twenty at Dorchester. At Kingston, however, the institution is so well protected that a relatively smaller proportion of guards is required, and the same observation applies to St. Vincent de Paul. I hope when the wall now being constructed at Dorchester is completed, that we shall be able to dispense with some of the guards. It is also to be remembered that the chief part of the industries of the convicts at Dorchester is carried on outside the walls, while at the other two institutions the industries are mainly conducted indoors. The whole

population at Dorchester is engaged on the farm, in quarrying and other outside work.

Mr. BLAKE. Will the hon. gentleman say what industries are projected or now conducted at Dorchester besides the quarry and the farm?

Mr. McDONALD (Pictou). None. At Halifax and St. John, as my hon. friend knows, the convicts made wooden work, buckets, brooms, &c. That has not been attempted at Dorchester. The warden says he has full occupation for the people in clearing the ground and completing the works to the establishment. It will be a question what we shall be able to do with them hereafter during the winter months.

Mr. BLAKE. In so large a prison population as 130, there is always a certain number who cannot be employed in outdoor occupation. Quarrying is unsuited to many people, as are also many agricultural operations. It is essential, to any reasonable efforts to carry out penitentiary arrangements, that there should be some occupation for the prisoners. Therefore, I think it devolves on the hon. gentleman to call upon his officers to consider what would be the best employment to bring forward for indoor employment for the Dorchester Penitentiary during the winter months. It was the habit of the prisoners at Halifax and St. John to make their clothing and shoes; I do not know whether the hon. gentleman has this industry carried on still.

Mr. McDONALD (Pictou). There is a repair shop for tailoring and shoe making, but the clothing has been obtained from Kingston. I concur in the hon. gentleman's suggestion about indoor employment, and will ask the views of the warden on the subject.

Mr. BLAKE. With regard to the sum for the guard in capital account, I was responsible for the item of this description. It was not intended to cover works of that kind. There is a new building not yet finished, and the expense of a drain in that building, \$700, is put down as part of the construction expenses. I think it would be very objectionable that the expenses for building should be charged to maintenance, if that is what the hon. gentleman proposes. I desire to ask whether the new works at Dorchester will be done by convict labor or let out by contract, and constructed partly by convict and partly by free labor, or whether it will be done by free labor.

Mr. McDONALD (Pictou). On the new works at Dorchester, convict labor will be utilized in getting out stone and every other mode in which such labor can be utilized. With respect to the \$700 under the head of capital account, that sum should have been given through the Minister of Public Works, but the warden asked for it in this form because he proposed to do the work by convict labor, and this sum would be required for material.

Mr. BLAKE. All expenses for construction should come under one head, and those for maintenance under another.

Mr. LANGEVIN. The hon. gentleman is undoubtedly correct, and this practice has been followed with respect to the new works at Dorchester Penitentiary. Two contracts must be completed, but convict labor will be utilized as much as possible.

Mr. BLAKE. What additional accommodation will be provided?

Mr. LANGEVIN. The new wing will give accommodation for 100 more inmates.

Mr. McDONALD (Pictou). In reply to the enquiry made by the hon. member for Gloucester (Mr. Anglin) before recess, I beg to state that the staff of Kingston Penitentiary for 1877-78 numbered 71; for 1878-79, 76; for 1880, 76; at present, 77.

Mr. ANGLIN. The number of officers at Dorchester is altogether out of proportion to the number of convicts. One

officer might perform the duties of accountant and store-keeper. Then there are hospital keeper and steward. The carpenter, mason and blacksmith instructors have now nothing to do as such. Then there is the schoolmaster; I do not know how many children he has to teach, but I presume his office might be very well amalgamated with that of the accountant. There is also an engineer and machinist at \$780 a year; the hon. Minister did not tell us what he had to do.

Mr. McDONALD (Pictou). The engineer and machinist has charge of the steam-heating apparatus, which heats the whole building, and a steam engine outside for sawing and other work, so that there is perhaps no harder worked man in the establishment. The steward must necessarily have his hands full, as he has to provide for 130 people every day, and to supervise the cooking and serving of the food. The storekeeper has to take charge of all the stores of every kind, and to serve the prisoners with clothing and other articles. The idea of having a schoolmaster is, that if the younger prisoners should desire to learn, they should have the opportunity to do so. Of course, if it is not the desire of Parliament that these young persons should learn anything while there, this small sum can be saved; but I do not think it would be possible to obtain a competent person to undertake the not very agreeable duty of trying to thrash a little knowledge, and I hope a little virtue, into the heads of young convicts for less.

Mr. ANGLIN. Last year, when the Estimates were under consideration, I called the attention of the Minister to the necessity of providing the Catholic chaplain, who lives some distance from the penitentiary, with the means of procuring a horse. The Minister of Justice intimated that he would add \$100 a year or so for that purpose. I would like to ask him why no such provision has been made.

Mr. McDONALD (Pictou). I will be honest—I forgot all about it. I do not recollect that it was discussed while the Estimates were passing last year, but it has been brought my attention since. The Catholic chaplain, I understand, lives some six or seven miles from the penitentiary, and this time twelve months we will, perhaps, take the matter into consideration.

Mr. BLAKE. The Finance Minister has threatened a supplementary vote. I would recommend him to bring it down then.

Mr. JONES. I do not think we want any supplementary votes for penitentiaries. I think they are carried on in a most extravagant way. Why should we have stewards—who are simply head waiters—schoolmasters, chaplains, and the best food and clothing for these fellows, and teach criminals everything to enable them to compete with honest labor outside? Why do we not carry on our penitentiaries as they do in England? They do not give a premium for men to get into the penitentiaries to spend a pleasant winter there as we do.

Mr. BLAKE. I think there is a great deal in what the hon. gentleman says. I recollect once enquiring with reference to the dietary in the Kingston Penitentiary, and I found that it was thought necessary to have the very finest quality of flour and beef. I was told that it was considered those convicts could not do a good day's work unless their system was sustained with eatables of the quality to which I referred. My own strong impression is that very much might be done by an operation which might, by the warden, be considered a revolution in the dietary as the hon. member has said.

Mr. McDONALD (Pictou). I was surprised the other day to see in the medical report from one of the penitentiaries that the health of the convicts made it absolutely necessary the dietary should be increased. I do not suggest any amendment in the law, but if any amendment in

the direction of making it unpleasant for the people who reside in penitentiaries should be considered, it would be well they should be reminded every three months or so they were not in a first-class hotel. Whether the public mind is prepared for such an improvement as that I am not aware.

Sir RICHARD J. CARTWRIGHT. To-morrow will be Ash Wednesday. Why not make the convicts keep Lent?

30. Manitoba Penitentiaries..... \$21,541 28

Mr. McDONALD (Pictou). The staff is the same as last year. In uniforms there is an increase of \$346, and in maintenance \$59.03. The working expenses have been reduced by \$1,942, in consequence of substituting heating apparatus, similar to that at Dorchester, for stoves. For capital account no vote is required.

Mr. SCHULTZ. In what manner was the capital account expended last year?

Mr. McDONALD (Pictou). I will ascertain and let the hon. gentleman know. I have not the information at present.

31. British Columbia Penitentiary..... \$17,523 63

Mr. McDONALD (Pictou). The salaries of the warden and chief keeper have been increased \$100. The cost of maintenance has been increased \$1,147, the estimate being based on a population of sixty instead of forty-five, the number last year. The capital account has been increased by \$450, to enable the warden to purchase a horse and buggy for the benefit of the chaplain. The warden says:

"I have received more than one complaint that the chaplains in that Province have been without the means of discharging their duties to the prisoners in those institutions, and it is recommended that an item be placed in the Estimates to supply that defect."

Mr. BLAKE. What item is that in?

Mr. McDONALD (Pictou). Capital account.

Mr. McINNES. It is only a mile and a quarter. I do not object to the item for a horse and buggy for the conveyance of the chaplain, but I think it would be much more in the interest of the institution to increase the warden's salary to something like the amount paid similar officers in the Dominion. He receives only \$1,200, while the Manitoba warden gets \$2,000. The keepers and guards in British Columbia are as well paid as elsewhere, and the warden should be put on the same footing, living being expensive in that Province, as much so as in Manitoba.

Mr. JONES. I cannot agree with the member for New Westminster (Mr. McInnes) as to the propriety of increasing the salary of the British Columbia warden. The fifty convicts of that nice convict establishment in British Columbia costs \$17,523 a year, or nearly \$292 per head. I do not think our different Provinces should vie with each other in increasing the expenses of their different penitentiaries. They should strive more to reduce the expenses. I think \$1,200 a year is quite sufficient for taking care of fifty convicts. Our system is a vicious one, and the cost of our penitentiaries should be reduced.

Mr. McINNES. The Manitoba Penitentiary provides for only fifty convicts, its warden receives \$2,000 a year, while the British Columbia Penitentiary cares for sixty, its warden getting but \$1,200. I am not more desirous than the hon. gentleman (Mr. Jones) of increasing penitentiary expenditure, but I think, as a matter of justice, the salary of the British Columbia warden should be increased to the amount paid in Manitoba.

Mr. BLAKE. My hon. friend (Mr. McInnes) and I will agree as to one thing; that is, that penitentiary expenses ought not to be so increased as to produce inconsistency. He wants to make a change from last year in his Province, but there is a change made: in Manitoba the

Mr. McDONALD (Pictou).

chief keeper gets \$800 a year, in British Columbia he got \$800 last year, but most improperly, with a very great disregard to the principle of equality, it is proposed to raise it to \$900 this year. My hon. friend must at once perceive that, to be consistent, he should vote with me to keep this increase out of the Estimates. The expenditure of those small penitentiaries is necessarily greatly disproportionate to the work they do, and should be kept down to the lowest point possible. I do not see how it could be expected, in such a small Province as British Columbia, as regards population, that there should be sixty persons in its penitentiary at once. I objected last year to the increase of the salary of the warden of the Manitoba Penitentiary, as very unwarrantable; but I do not see that it follows we should have another increase this year for the benefit of the British Columbia warden. His salary is sufficiently large. The cost of the maintenance of the convicts in British Columbia is but \$83 per head, and that at the St. Vincent de Paul institution \$83, so British Columbia cannot be so expensive a country to live in as we have been led to believe. The warden in British Columbia is not, I notice, a very correct calculator of distances, as he misrepresents or mistakes the distance the chaplain has to travel, as is now proved by the testimony of the member for New Westminster, who is, however, proposing an increase wholly indefensible. Over four miles these unfortunate men, to minister to the spiritual wants of the convicts, have to walk afoot if they are not provided with horses. But the hon. member for New Westminster (Mr. McInnes), who lives on the ground, and must know, says it is hardly a mile and a quarter. I do not think that under the circumstances this special charge should be increased.

Mr. McDONALD (Pictou). I must say that the remarks of the hon. member for New Westminster (Mr. McInnes), have put an entirely new phase on the matter, and if the House will allow me to take the vote I shall see that it is not expended, if I find upon enquiry that any misrepresentation has been made by the warden. With regard to the increase in the salary of the deputy warden and chief keeper—for he really combines those offices—it was made on the same ground as the increase in the salary of the warden of Manitoba penitentiary last year. He is a man of the highest character, and admirably fitted for his duties, and rather than lose one whose retention in the office was very desirable, if not essential, I agreed to increase his income. I did not feel, however, that I would be justified in increasing the salary of the warden, notwithstanding that I was very strongly pressed to do so by my hon. friend from New Westminster (Mr. McInnes).

Mr. McINNES. With regard to the salary of the warden, I do not blame the present hon. Minister of Justice so much for neglecting to raise it, as I do the hon. leader of the Opposition, for when he was Minister of Justice he appointed him at a salary of \$1,200, or \$200 less than the warden of the Manitoba Penitentiary, when the cost of living is certainly less (if there be any difference) in Manitoba than in British Columbia. If it was necessary to pay the guards as good salaries in British Columbia as in Manitoba, I think the wardens should not have been put on a different footing. I think it an injustice that such an officer should receive a paltry \$1,200, and that he should certainly receive \$1,400 or \$1,600.

Mr. McDONALD (Pictou). In reply to what was said by the hon. member for West Durham, I may say that the *per capita* cost of maintenance in British Columbia is \$83.72, as against \$73.14 in St. Vincent de Paul.

47. To meet expenses in connection with care of public archives..... \$5,000 00

Mr. ANGLIN. I should like to know what has been done, and what is likely to be done, for the money we have

been granting year after year under this head, and whether the expenditure is, or is not, to be a permanent one?

Mr. POPE (Compton). I may say that this money is voted, not really for the care of our own archives, but for copying valuable documents in London pertaining to the history of this country. A large number of them have been copied, and the work is still going on. It will be completed this year, as nearly as I can ascertain. The work is being looked after by Abbé Verrault, of Montreal, and by Mr. Brymner, of the department. It was strongly recommended to the House by a Committee some years ago.

Mr. ANGLIN. Seven or eight years ago.

Mr. POPE. That may have been the time when the recommendation was made, but the work has not been continuous since then. Sixty or seventy very large volumes have been copied; and among those which are now being copied is the Haldimand collection, which will be completed this year. I will bring down the full particulars.

Mr. BLAKE. What will be the total charge in connection with the care and collection of the public archives?

Mr. POPE. Altogether?

Mr. BLAKE. Yes.

Mr. POPE. I will say about \$15,000.

Mr. BLAKE. Do we understand that, as the matter is at present organized, this sum is really spent in keeping these archives?

Mr. POPE. Almost all of it. Of course, after they come here something is spent in putting them into shape.

Mr. BLAKE. Is there any officer in charge here, permanently, who gets anything for that?

Mr. POPE. No one but Mr. Brymner. His sole duty is not confined to these papers. His chief work, for a number of years, has been in making a collection of all the archives of the several Provinces.

Mr. BLAKE. If we have an officer in our service who has some permanence of employment, the proper course would be to take a vote for his salary.

Mr. POPE. So we do. There is a vote taken for his salary every year. Possibly it is not in this vote.

Mr. BLAKE. My desire is that the Public Accounts should be, so far as possible, representative of the true state of things, and that when we have an officer in our employment we should have a vote for his salary.

Mr. POPE. I can assure the hon. gentleman that he will find a vote for his salary in the staff of that department.

Sir RICHARD J. CARTWRIGHT. That vote was first taken in 1872-73 for the sum of \$4,000, which was afterwards increased to \$5,000. Consequently, to the end of 1882, we will have voted for this service about \$48,000. I do not think the whole of that amount has been spent, but it has been taken.

Mr. ANGLIN. Can the hon. member inform us when we may expect this work to be completed?

Mr. POPE. That depends entirely upon the House. I think it is very important we should complete this collection, and I am going to ask the House this year to vote this sum with the hope that it will complete the collection. It will be then for the House to consider how long the work shall be continued. It pertains to the history of the country. In the United States they copy almost every document of this kind.

Mr. ANGLIN. Besides those being collected, there are many other documents equally valuable as material for the future history of this country. When we are voting money

for a service of this kind, we ought to have some idea of the extent to which we are to go.

48. Patent Record..... \$7,200 00

Mr. ANGLIN. I would like the hon. Minister to state, on his responsibility and from his experience as Minister, whether he thinks this paper is worth that sum to the people of this country.

Mr. POPE. When this paper was first established it cost us \$4,000 a year. The late Administration thought it was worth keeping up, and they increased the amount to \$7,000. I have been urged by friends of the hon. gentlemen opposite to publish a larger number of copies, but I declined to do so. I say, upon my responsibility as a member of the Government, that I think it is worth that sum.

Sir RICHARD J. CARTWRIGHT. I do not think that sum has been spent every year.

Mr. MACDOUGALL. What number of copies are printed?

Mr. POPE. I do not remember. Two copies are sent to every member, and it is sent to every public institution.

Mr. MACDOUGALL. I think this paper is of very little use to members. I was going to ask whether any number of copies are preserved for the purpose of being bound, or offered for sale, as is done in England and the United States. Men of a mechanical turn of mind might desire to possess themselves of bound volumes of this paper. If it is bound and put on sale the expense of the publication might be partially met, or its usefulness demonstrated. If it is merely for the purpose of furnishing the members of this House and public institutions with a few copies, it seems to me it is a large expense for a very little advantage.

Mr. POPE. There are twelve or fifteen pages in each number. We do not publish it for sale, but the gentleman who publishes it has a large subscription.

Mr. MACDOUGALL. This is a bonus, is it?

Mr. POPE. It is what we pay him. In the first place, it was connected with the publication of another paper, the name of which I forget. I said: "If you think you can publish this for \$4,000 a year I will join you; I think it will be useful." He said he could not afford to continue it without additional aid, and the sum was increased accordingly to \$7,000 by the hon. gentlemen opposite. I have since asked him if he could not publish it for a less sum, and he said he could not. There is a very considerable sale for the publication both in Canada and the United States.

Mr. MACDOUGALL. The work is of very little use to us unless all the numbers are collected and made complete for the year.

49. To meet expenses in connection with preparation of Criminal Statistics..... \$5 000 00

Mr. BLAKE. It is time the hon. Minister of Agriculture gave in the Estimates details of this vote. At first it was uncertain what state the service would assume, what staff would be required, and what sum would be obtained for the Provinces. But three or four years have passed, and the Public Accounts Committee last Session obtained details in respect to the service, and it then appeared there were certain salaried officers employed. The vote ought to be reformed, and details should be given in future.

Mr. POPE (Compton). Of the vote last year \$341 had been expended. The returns do not come to any considerable extent, until after this time, and a large amount of the vote therefore remained unexpended. This was, of course, outside of the salaries paid to the officers who are steadily engaged in compiling the statistics.

Mr. BLAKE. There is a staff comprising two, three or four men employed, and there is no reason why their salaries should not appear.

Mr. POPE. As it was a new matter, we did not feel that we should establish a new staff and bring men into the Civil Service until the system had a trial. The suggestion of the hon. gentleman was worthy of all attention. No doubt after the census has been taken we must settle on some policy with respect to obtaining the statistics of the country, and nothing would give me greater pleasure than to place on the permanent staff the gentlemen who are now doing the work, in place of having them employed as extra clerks.

50. To meet expenses in connection with the Census. \$200,000 00

Mr. BLAKE asked that this item be allowed to stand until the papers promised had been brought down.

Mr. BUNSTER. I desire to ask whether it is intended to take the census in British Columbia completely, the number of the white, the Indian, the Chinese and the foreign population; so that we may give the people of Canada an intelligent view as to how we are intruded upon by those whom we do not require.

Mr. POPE. We intend to take it as completely as we can. There will be very great difficulty both in the North-West and in British Columbia, in getting the whole population, and it will be very expensive to do so. We cannot take the census there as nicely and exactly as we can in the older Provinces, but we will do the best we can. With respect to the remark of the hon. member for West Durham (Mr. Blake), I do not desire to put the vote until all the papers have been brought down.

Mr. BUNSTER. I consider the answer I got from the Minister of Agriculture was an evasive one. I would like to impress upon him the desirability of seeing that the statistics of British Columbia are properly taken, particularly those relating to the Chinese, of whom I believe there are some 7,500 in the Province. Last month, I am credibly informed, there arrived not less than about 1,600. I wish to know if the hon. Minister has given the officers in British Columbia instructions to take an accurate census of our population.

Mr. POPE. We intend to have it made as accurate as possible.

Item allowed to stand.

51. Dominion Exhibition ..... \$5,000 00

Mr. BLAKE. Where is this exhibition to be held next year?

Mr. POPE. In Halifax. This is the same amount as was given in aid of the exhibition in Montreal last year, and that in Ottawa the year before, and as will, perhaps, be given for one in Toronto the year after.

Mr. SCHULTZ. I would suggest a more central point, namely, Winnipeg.

52. Immigration and Quarantine ..... \$158,100 00

Mr. BLAKE. I understood that this matter was recently relegated to a private corporation and was not to appear in the Estimates at all. Am I mistaken?

Mr. POPE. I am afraid you are.

Mr. ANGLIN. We were certainly led to believe that the Syndicate would be much more efficient agents for the promotion of immigration than the Government, and that we could look for a great reduction in the immigration expenditure. Apart from the expenditure at the various ports in Canada, very much of which I think might be fairly reduced, we find from the statement before us that the whole European staff is to be maintained. I would like to know what has become of that magnificent project for promoting emigration from Ireland to our North-West. The papers brought down showed that the Minister of Agriculture, at the instance of the High Commissioner,

Mr. BLAKE,

who seems to be at the bottom of the whole project, proposed to the Imperial Government some plan of encouraging emigration from Ireland to Canada. Beyond the simple acknowledgment of the receipt of this Minute of Council, and the promise that it would be referred to the proper authority in England, there was nothing else, and we have heard nothing of the matter since. If the whole scheme has not been utterly abortive, I think the time has come when we should know what has been done in this matter.

Mr. HESSON. It would not be wise to withhold our hand now, for the reason—and the hon. gentleman who has just taken his seat will agree with me—is a good one, that we are likely to have a large immigration from Ireland.

Mr. ANGLIN. Why?

Mr. HESSON. On account of the trouble there. Well, people will not choose to live longer in a country where they cannot have peace and quietness. We ought to extend our grant, because our revenue justifies a more liberal expenditure. We ought to be more liberal in connection with our expenditure on German immigration. That expenditure has been very limited indeed. A paltry sum has been voted to ask a German delegation to visit this country and report on its resources. I call on the hon. Minister to increase very largely the amount fixed for that purpose—to induce the people of Germany to elect delegates to visit this country and report on its resources and capabilities, as was done in the case of Great Britain. Whilst the Americans are receiving such large accessions to their country from Germany, we have been receiving none, because this and previous Governments have neglected to disseminate in that country a reasonable amount of knowledge as to our capabilities and resources. This is a mistake on our part, for Germans are very successful as farmers, and a most desirable class of people to have. I know of no European nation that are more of a migratory character than the Germans. They have peopled nearly the whole of the western States. I hope the Government will see the propriety of making greater efforts to bring to this country a large German immigration this year.

Mr. MACMILLAN. In the item with reference to the city of London, the amount given to the immigration agent there is \$800, considerably less than that allowed to any one of the immigrant agents at Halifax, St. John, Manitoba, or the North-West. A great many immigrants come to the city of London, and I do not think there is a more efficient officer in the department than the agent in that city. I would like very much if the hon. Minister could see his way clear to increase his salary, at any rate, to an amount equal to the lesser sum paid at St. Johns. With regard to the North-West, the agent there is not incapable by any means, but he cares very little about what is being done to the immigrants in any way whatever. I was informed he never by any chance met a train on its arrival at St. Boniface. People who arrive there have come nearly to the end of their destination, have exhausted nearly all their means, and the person who is appointed there should be one who would take a great deal of trouble and do all he possibly could to get the immigrants settled. The agent has too many things of his own to attend to. It is as well the hon. Minister should see the work is properly carried out. I might also refer to St. Paul, where a great many immigrants arrive on their way to Winnipeg, but never arrive there. We have an excellent agent there, but he has no office accommodation or means of seeing to the maintenance of those immigrants, consequently as they have to remain over there a period of two or three hours, the American agents, who have every facility at their disposal, take up as many of them as they possibly can, and settle them in their country; and by this means I will venture to say we lose quite one-half to two-thirds of those who originally set out with the intention of going to

Winnipeg, but who never get beyond the American frontier.

Mr. BUNSTER. I see no provision is made with regard to British Columbia. At the request of Canada, British Columbia has reserved a twenty-mile belt of land on each side of the railroad, but there is no agent in the Province at present to locate on those lands settlers who arrive. A great injustice has been done British Columbia in not appointing such an agent. Why has an exception been made in so far as British Columbia is concerned?

Mr. POPE. I can say, in answer to my hon. friend behind me (Mr. Macmillan), that though there may be some truth in his complaint as to our loss of emigrants by their passing through the United States, it is greatly exaggerated; a loss of one-third to one-half is too large a proportion to set down. It will be impossible for us, so long as our emigrants have to travel that territory—which is but a temporary convenience—to make the same provision for our immigrants that would be practicable in our own country. The accommodation of our emigrants in Canada is as good as can be found anywhere. In Quebec, Montreal, Toronto, Hamilton and London immigrants are well treated. I have heard no complaints from them. The same is the case at Duluth, where we hired the buildings of the Union Pacific Railroad for their accommodation. A large portion of our immigrants go over the road from that point, and not by St. Paul, where we have no buildings but temporary ones; and this must be the state of things till our railroad to Manitoba is completed. Though I do not expect too much from the Syndicate in this matter, they must greatly augment our efforts in favor of immigration. I expect a larger immigration from their efforts, and hope we shall obtain many German emigrants. Our agents are not allowed in Germany; but much can be done by the system of other agencies. We cannot give exceptional advantages to the Germans, for they would excite discontent among other nationalities. We desire greatly German immigration, but must leave its encouragement mainly to the Syndicate. We also hope for a better, a self-supporting class of emigrants, including Irish emigrants. I asked the British Government to co-operate with us, or if they would not, that associations in the old country should be formed, to bring out poor people to Canada, taking security on their farms for repayment of their passage money. I still hope for a large immigration from Ireland, but scarcely before the subsidence of the present political difficulties, as many feel they should not emigrate while there may be a prospect of fighting battles for their native land. I hope quiet in Ireland will soon be restored, and that we shall receive, through the co-operation of old country societies and such noble persons as the Duchess of Marlborough, who proposes to expend £4,000 or £5,000 in the cause, a large Irish immigration. Several other noble persons have made similar suggestions, and I hope for great results from such efforts. The vote proposed is \$10,700 less than that of last year, viz.: \$150,100. The last vote was expended as follows: to recoup New Brunswick, an old claim, \$10,000; balance of previous year about \$15,000; making \$193,307; expended to February, 1881, \$144,106; still available, \$49,201; add refunds, available, \$15,000, making a total of \$64,201 still available. The vote has been thus expended: transport, \$46,263; publications, \$14,888; New Brunswick, \$10,000; agencies pay list, \$9,011; remitted to the High Commissioner, \$29,973; general expenditure, \$17,516; special agents, \$10,856, making in all \$144,160 out of the sum voted, the balance being available for the rest of the season.

Mr. BLAKE. Would the hon. gentleman state generally by what mode it is proposed to expend the large item of \$100,000.

Mr. POPE. I have been reading the items for the past year.

Mr. BLAKE. Yes; but about the future? There is \$10,000 for New Brunswick, for instance.

Mr. POPE. That was included in the vote.

Mr. BLAKE. It was not included in the vote last year.

Mr. POPE. It was included in the expenditure.

Mr. BLAKE. This, then, is one of the sums included in the \$100,000.

Mr. POPE. No; it is not.

Mr. BLAKE. I do not find it elsewhere.

Mr. POPE. I know it was voted—in the Supplementary Estimates, I think.

Mr. BLAKE. But this comparative statement includes the Supplementary Estimates.

Mr. BUNSTER. I wish to call the attention of the Minister of Agriculture to the remarks which I made a few minutes ago, and which he appears to have forgotten.

Mr. BLAKE. The hon. Minister said he was about devoting special attention to get self-sustaining immigrants to come into the country, and there is no class so self-sustaining as the Chinese.

Mr. BUNSTER. I am afraid the leader of the Opposition is trying to put words in the mouth of the Minister of Agriculture. But if he did say that, then I must sympathize with him in his great error of judgment. If the Minister will make the explanation I asked for, I shall be obliged to him.

Mr. HESSON. I wish to correct a wrong impression which has been formed with regard to my remarks upon German immigration. I said nothing about special efforts in assisting Germans to come to this country, as I think the result of that system has largely been to bring out an undesirable class of immigrants. My view was to disseminate satisfactory and safe information regarding this country in Germany, and in the German language, as is done in Great Britain and other countries in Europe, and I think this could best be done by the pamphlets which are published by the department. I did not imply that we should bonus German emigrants, but I think if you give assisted passages from Liverpool, Dublin or other places, you should also give them from Hamburg. There may be difficulties in the way, but I do not think they are insurmountable, and if the American agents are successful in bringing German emigrants to the United States, I do not see why our agents should not be equally successful.

Mr. BURPEE (St. John). I would like to ask the hon. Minister what arrangements are made for the transport of immigrants to their destination after they arrive on this side of the Atlantic; whether special rates are offered for their transport from the seaboard to the interior, and whether if there are such special rates, they are the same to all parts of the Dominion east or west? Only a few days ago I had a letter from one of the most flourishing settlements in New Brunswick—a Danish settlement—complaining that last year, a number of their friends, whom they had induced to come out, found, when they arrived at Quebec, that they had great difficulty in reaching New Brunswick without paying an excessive rate. They found that they could go to the North-West Territory at a lower rate though the distance was so much greater.

Mr. POPE. This is the first time that the matter has been brought to my attention. As to the arrangements for the transport of emigrants, we had an arrangement with the Government of Ontario that they should pay two-thirds—we paying one-third—and we had the same arrangement from all ports in the Lower Provinces. Previous to that we used to pay the fares of the indigent emigrants, and we found that in the aggregate they amounted to about one-third. I am sorry to say that last winter the Government

of Ontario gave us notice of their refusal to continue that arrangement with the present appropriation. If we were to engage to pay the fares of emigrants to Ontario, the whole sum would be exhausted in that way alone, so that I think we shall have to require these people to pay their own fares. With regard to fares from the other side of the Atlantic, the only arrangement we have—with the exception of one with regard to female servants—is with the steamboat men, who make a reduction in consideration of the traffic which immigration affords them. I can assure the hon. gentleman, however, that whether emigrants arrive at Quebec, Halifax or St. John, they are all treated alike in every respect.

Mr. BLAKE. You have not answered the enquiry of my hon. friend from Vancouver (Mr. Bunster) with regard to what arrangements have been made by the dissemination of literature or otherwise for bringing the Chinese into this country.

Mr. BUNSTER. I hope my hon. friend from West Durham will pardon me if I tell the Minister of Agriculture that I made no such enquiry. My feelings and the feelings of the people who sent me here are against encouraging Chinese immigration, as I have frequently stated on the floor of this House. But I would respectfully call the attention of the Minister, for the third or fourth time, to the great injustice which is done to British Columbia in not having an immigration agent there to look after immigrants who land upon our shores. The Americans have their agents on the shores to take our immigrants away when they land there. It is nothing more than right that Canada should have an agent there to direct the immigrant where to go and settle, inasmuch as British Columbia has complied with the request of Canada and has reserved lands for railway purposes. I will again respectfully ask the hon. Minister of Agriculture why he has so grossly neglected British Columbia in not giving her an agent as well as the Maritime Provinces?

Mr. POPE. I can assure my hon. friend my attention has not yet been called to the matter. I shall take it into consideration, and I hope to be able to satisfy him that everything necessary will be done for British Columbia. I think I must rebuke the hon. member for West Durham for being facetious over so serious a matter.

Mr. BLAKE. Is it a very serious matter to ask us to vote \$100,000 in a lump, without having any definite information of the purposes for which the vote is required?

Sir RICHARD J. CARTWRIGHT. The hon. member did not give us any information as to the proposed or supposed negotiations between this Government and the Imperial Government touching the possibility of directing to our shores a large proportion of the expected Irish emigration. He stated that the Duchess of Marlborough, and certain other private individuals, were disposed to co-operate with our Government in bringing out people here; but of the larger Government scheme the hon. gentleman said nothing. If there is anything of the sort, of a scheme, between the two Governments, we ought to have it before us.

Mr. POPE. I did say that we had made a proposition, and the hon. gentleman has seen it. I am not at liberty to say anything further about it at present. I stated that I hoped we should be able to induce a large emigration to this country, but I stated we did not expect to do so, so long as the present political agitation existed in that country.

Sir RICHARD J. CARTWRIGHT. If the hon. gentleman intends to assist immigration in a pecuniary way, of course he will have to obtain authority from this House. Does he expect to be in a position to ask for any vote for the purpose of assisting this immigration, or does he propose, in case of his negotiations coming to a successful termina-

Mr. POPE (Compton).

tion, to use part of this vote for that purpose? In the latter case, there would be little left for the purpose of assisting any organized system of immigration.

Mr. POPE. My hon. friend has mistaken the point altogether. I have never said that I was going to spend a single dollar upon Irish immigration. My hon. friend has seen what the proposition was from the papers on the Table. It was to induce the British Government, through an association or in some other way, to assist these people to come to this country and settle them upon land, upon which the Government should take a lease for the money advanced. The only offer this Government made was, that they should care for these people and give them the same attention as the British agents gave them. We took upon us that before the patent was given to the settler we would see that this money was paid to the party who advanced it.

Mr. ANGLIN. It is well that we have this explanation from the hon. Minister, because it will dispel a very general illusion. The statement of the Premier himself, as well as the papers laid on the Table by the Government, all created the impression that the Government intended to expend a large portion of the public money for the purpose of assisting Irish immigration. Nobody understood what the hon. gentleman now says was the meaning of the proposition put forward, that the Government of Canada should merely apply to the Imperial Government to do something of this kind. The impression created by all the statements was, that the Canadian Government itself, seeing a grand opportunity of inducing a large emigration into the North-West, determined to avail themselves of it. The hon. member for North Perth (Mr. Hesson) says he expects a large number of people will leave Ireland shortly because of the troubles now prevailing there; but the peaceably disposed will not be disposed to remain where they are surrounded by such troubles. The hon. Minister of Agriculture takes an entirely different view of the state of Ireland. He is of opinion that it is hopeless to expect a large immigration from that country until after the troubles have ceased. I think there would be no difficulty in bringing out many well selected immigrants from the more distressed parts of Ireland—not wealthy men, with money to invest, but such as the hon. gentleman seemed to have in view when he prepared the memorial to the British Government. But his whole scheme seems to have vanished into thin air. That being the case, it is of course not to be wondered at that it is the intention of the hon. Minister to proceed next year in the same humdrum manner in which he proceeded last year and the year before, through the steamboat agents and proprietors. But the hon. Minister now asserts that he makes no cash payment to the proprietors of any of the steamboat lines.

Mr. POPE. I never did.

Mr. ANGLIN. Well, there was an entire and a strange misconception on that point. With regard to German immigration, I think we all desire to see it promoted by all fair and proper means. The late Government did all they could to promote German immigration, and although there are several flourishing settlements in Ontario, it is remarkable that Germans seem to prefer the United States. I do not think we have had a very satisfactory explanation of this item from the hon. Minister. I do not see why he should speak of assisted immigration if the steamboat proprietors themselves bring the immigrants out. I do not think we have had from the hon. Minister such a review of this whole question, in view of the great expectations which have been aroused in consequence of the creating of the Pacific Railway Syndicate, as we were fairly entitled to expect. The hon. gentleman says they will do a great deal to promote immigration to Canada. Perhaps they will, but he is prepared to pursue the same methods as before. There is nothing

new—nothing to lead us to believe that any special efforts will be made. He has told us nothing of the results of that wonderful stroke of genius in bringing those delegates from Europe to report upon the capabilities of Canada. We know that these gentlemen did come out and afterwards published letters. We know that one or two of them have not reported very favorably of Canada as a country to which farmers of capital should come.

Mr. POPE. Which one?

Mr. ANGLIN. Mr. Cubitt, I think, was one.

Mr. POPE. Mr. Cubitt made a very fine report.

Mr. ANGLIN. I saw a letter from Mr. Cubitt in which he said that farmers accustomed to social refinement and unaccustomed to do the labor of their own farms should hesitate to come to this country. The hon. Minister should have been glad to let us know the success of his experiment. We all rather approved of it, but have not seen any performance resulting from it. I do not know that I shall insist further on explanations in regard to this matter since the hon. Minister refuses to give them.

Mr. SCHULTZ. The hon. member for Gloucester is somewhat mistaken in his estimate of the value of this English farmers' delegation. There was one of them, I believe, who, in a speech somewhere in England, did say that which certainly was not in the interest of Canadian emigration, but all the others not only spoke in public but placed on record in other ways perhaps the most favorable account of that country which had been given by travellers through it. I believe a very great portion of the emigration last year was almost the direct result of the records of these tenant farmers when they went back to England; and their own personal feelings may be evinced by the fact that one of the gentlemen came back and bought a farm, and is now living in Manitoba, another has sent his nephew, and another his son out there. With regard to the prospects of Irish immigration, I notice in the last number of the *Nineteenth Century* a very able article written by Mr. J. H. Tuke, who visited Manitoba last year. That gentleman, who seems to have come in contact with the leading members of the Government, sums up the result of his enquiries in these three suggestions:

"1. That the emigration shall be undertaken by the joint action of the Imperial and Canadian Governments, the former supplying the capital at a low or nominal rate (say 2 or 3 per cent.) repayable over a term of years, and the latter undertaking the entire care and oversight of the emigrants, and the recovery of the advances made to each family.

"2. That a Colonization Association should be formed composed of a number of leading English, Irish, and Canadian gentlemen, to whom the Home Government should, under carefully considered regulations, make the advances required, also repayable at a low rate of interest over a term of years; or that the Association should obtain the money by shares in the market as a commercial transaction.

"3. That the Home Government should appoint an Emigration Commission, consisting of two or three well known and competent men, to whom the whole work of emigration should be entrusted. In this case, as in the first, the Home Government would advance the necessary capital, but the Commission would arrange for the recovery of the instalments."

I think I can see in that the economic disposition of the head of this department. I can only say that if the writer is correct in his estimate of the means to secure that emigration, and his exhaustive knowledge of the subject renders that probable, it would enable us without great cost to attain the emigration desired.

Mr. HUNTINGTON. Instead of Mr. Tuke writing these things, and my hon. friend commenting on them, if the hon. Minister of Agriculture would say whether that is the policy he has adopted, this discussion might, to a great extent, be saved. The fact is; my hon. friend went to England and made suggestions of this kind to the British Government, and the question now to be answered is, has the hon. gentleman received any encouragement from the British Government? If he is not in a position to tell us, as Mr. Tuke seems to tell us, that any results have been arrived at,

at what Session of Parliament will he be able to give us that information? The hon. gentleman has left us to suppose that the thing is in abeyance; he refused even to say that negotiations were in progress. He might have told us that, even if he refused to say what the negotiations were. While the conception was a very magnificent one, it seems there was a collapse in carrying it out.

Mr. MACDOUGALL. The hon. gentleman's complaint of want of information from the Minister, reminds me very much of a countryman of the hon. member for Gloucester, who, on being told at the post office that there was no letter for him, asked the postmaster when he expected one. I understood the hon. Minister of Agriculture to say distinctly that the state of the proposed arrangements between the two Governments did not warrant him in making a statement to this House, at all events, as far as the action of the Imperial Government is concerned. We can quite understand the reason why that state of affairs exists at present. It does not require a Minister to tell us that matters are not in that condition, either in England or Ireland, which can enable a Government, like that which now rules the country, to give any great attention to the question of emigration to Canada. I was a little surprised at the querulous tone of the hon. member for Gloucester, who usually treats public questions with great fairness. From his former position in this House, I would hardly have expected the attempt that was made to discredit, to underrate, the successful measures adopted by the hon. Minister of Agriculture, with reference to the advertising of our country to the very best class of farmers in the Mother Country. Whatever differences we may have with regard to political questions, it is only just to acknowledge the patriotic acts of our Government. What has been the result with respect to that movement? We have had a number of very intelligent English and Scotch farmers visiting our country, who, probably, but for the suggestion made by the Government, would never have seen this country. After a careful examination they have made speeches and disseminated information about our country, which has put it in a better light than it ever stood before. A great movement is evidently going on with respect to land, not merely in Ireland, but in England and Scotland also. I believe that for the next few years there will be a large emigration to this continent from the tenant class of farmers. A very large number of persons from the Mother Country are quietly settling in the older Provinces. They do not report themselves to the emigration agent; they do not require assistance, they have sufficient means to carry them through; and they bring their families and household goods with them, and then purchase farms from those in our own country, who believe they can better their fortunes by selling out and removing to the west. That is exactly the process which, I believe, is most in the interest of the older Provinces. The Canadian farmer who has cleared his farm and brought up three or four sons, and who finds it difficult to obtain land enough for them, except at a very great expense, can sell out his homestead for \$3,000, \$4,000 or \$5,000 to a farmer of the class I have described, who is not, by his previous habits of life and education well fitted to go into the wilderness, and take up in the North-West a large quantity of land for his sons and family. Those are the very best, the most useful class of settlers for a new country. On the other hand, those English or Scotch farmers, accustomed to the most superior modes of agriculture in the Mother Country, are the very best kind of settlers we can have on the vacated farms of the older Provinces; this process is going on, I am glad to believe, to a very large extent, and chiefly on account of the action taken by the Government. I have heard this process spoken of as a happy thought of the Minister of Agriculture, who, from his practical experience, I should think would be well able to make other suggestions of this kind which may probably

turn out as successful as this one. This, at all events, is of the greatest value to the country. I do not feel much apprehension from the actions of gentlemen like Mr. Cubitt, who do not think that Canada is a country to which any English gentleman farmer, who does not require to work for his living, can remove to great advantage. Speaking from my experience, as one brought up on a farm, and for some years connected with agricultural movements, and having read and written considerably on the subject, I have a very strong opinion that the very worst class of farmers—those most likely to bring discredit on our country—is that class of gentlemen farmers, a few of whom have, from time to time, found their way to Canada. The country is not suited to them; the profits of Canadian farming are not such as to maintain a gentleman farmer in the extravagant habits he acquires in the Mother Country. The result is he breaks down and becomes a burden to the neighborhood, rather than an advantage; he grumbles and growls, and if such men get out of the country, it is to its advantage. My hon. friend seems to think it is a blot upon the management of the Minister of Agriculture that a man like Cubitt has advertised abroad that that class of persons ought not to come to Canada. I think that that is a very fortunate circumstance in the history of the movement, for I do not believe Canada would derive much advantage from that class. What we require in the old Provinces, as well as in the new, is a class of men not afraid to put their own hands to the plough, who will superintend, at all events, and understand the work of the farm in a new country. The class of persons whom I met, who came out from the old country, was just of this character, keen, clear-headed, practical men, who had themselves superintended small farms, who had worked in the field with their men, and, being well informed, constituted the very best class who could be induced to come to this country and become emigration agents for Canada. I am happy to find, after looking over their publications, that they appreciated Canada and its true merits. I believe that no native Canadian, intelligent though he might be, could have presented our country under more favorable conditions to the very class in the old country whom we ought to desire to attract, especially men of capital. No agency could accomplish this object more thoroughly and successfully than those parties. A word or two with regard to foreign emigration. The hon. member for Perth (Mr. Hesson) who, I assume by his name, is of German origin—at all events he represents a constituency where a very large number of Germans reside—

Mr. HESSON. I have the honor to be an Irishman.

Mr. MACDOUGALL. If that be so, I think some German has been in Ireland at a particular period. At all events, I think the Germans make the best class of settlers; and it would be of great advantage to us to have in the North-West, and in the uncultivated parts of the older Provinces, a large German immigration. It should be encouraged, but there are large difficulties in its way. The Government of Germany seems anxious to maintain an armed neutrality in Europe, and does not like to see its young men, whom it is designed to train to the use of arms, perhaps for future service, leave the country. In fact, every obstacle that the Government can throw in the way of emigration, short of the imprisonment of their own people, is resorted to. No emigration agent from Canada or the United States would be allowed to encourage the poorer or emigrating classes to leave their country. He would be arrested or put under police surveillance all the time, and the Government would find it easy to invent excuses for putting him in prison. The result is that the means of attracting German immigration, suggested by my hon. friend, would not be tolerated by the Government of Germany. But there are other means of reaching the people. The

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newspapers of Scandinavia and Germany would be very glad to publish information with regard to Canada or the United States if paid for it; if the law has not been changed within the last year or two, there is no means of preventing the diffusion of that kind of information. If information with regard to the advantages of Canada, especially the North-West, were disseminated throughout those countries, I believe the result would be a very good kind of immigration, so far as it might extend, to this country; because the immigrants would be useful laborers and settlers wherever they could take up lands. My hon. friend is aware of the fact also; he knows that I was present at an interview between an agent of the new line of steamers that is established between the Scandinavian ports and New York. That line is, under the management of a gentleman who was a prominent agent of the Allan Line in Copenhagen, and he believes a good continuous stream of emigrants from the North of Europe may be attracted towards the western States and western Canada. Of course his desire will be to secure the advantages the Government of Canada may offer, and the class of persons who may be desirous of going into our country and taking up land there in company with some of his relatives are exceedingly anxious to make a preliminary settlement. The truth is that in all these settlements of people speaking a foreign language, you must begin by planting a colony. You must get a small number of families at some particular point, and if they succeed and write home to their friends and relatives that this country is all that it was represented to be, and that they have every reason to be satisfied with their condition and prospects, you have then the best emigration agents you can possibly establish. But some little expense must be incurred, and some trouble taken by the Government in assisting these early settlements or nuclei, if you are to have a large settlement of that class. I know not to what extent the Minister of Agriculture may have contemplated or engaged in such a system of settlement, but I am convinced that with our illimitable North-West we should endeavor by that means to have it settled by people from the different nations of the world—by Germans, by Scandinavians, by Highlanders, and people of Irish and English blood. We want to mix these various nationalities, so that in the course of two, or three generations we may develop, as I believe we will, a new and distinct type of humanity in this northern half of the continent. We especially want the northern races—those who come from northern climes, who, being accustomed to a cold climate, will not be frightened when the thermometer goes down to 30 or 40 degrees below zero for a few days—men who will be capable of resisting these climatic influences, and will be satisfied with a good soil, free institutions, and cheap, honest and patriotic Government. I believe they will find all these conditions in Canada under our constitution, whether hon. gentlemen opposite or these on this side of the House may govern the country for the time. So far as my observation goes, none of the emigrating classes from the old world are dissatisfied with the institutions of Canada. On the contrary, I believe they are well affected towards these institutions. They are satisfied with the freedom they enjoy—freedom from the enormous taxation to which they are subjected in their own countries, freedom from the grinding military service which is too commonly the lot of the poorer classes in the older countries—free from those disagreeable and discouraging circumstances under which they live in their own country—those influences which impel them to emigrate. When they settle in our country and are able to report to their friends and relatives the happier condition in which they find themselves here, they become the means of forming streams of emigration which flow into our country and occupy our unsettled lands. It seems to me that the expenditure this year, as compared with last,

is an adequate expenditure, because we hope under the arrangements made with the Canadian Pacific Railway Syndicate, who must of necessity undertake measures to promote immigration on a large scale, that it will be found to the advantage of the country—and the Government, I have no doubt, will act upon that view—that the operations of the Government and of the Syndicate in that respect should be combined, or at all events that they should run in parallel lines, and that they should agree upon some common system. Under these circumstances I am not surprised that no very large expenditure should be asked for immigration purposes, and I trust that the efforts of the Government will be assisted and supplemented to a large extent by the operations of the Company.

Mr. HESSON. I quite agree with the views which have been expressed with regard to the importance of the results which we may expect to flow from the reports of the delegates who were here last year. I am satisfied that the favorable and unbiassed report of an agent who is chosen because the people have confidence in him will do more good than the efforts of several salaried local agents who are supposed to put the best face upon matters, and who may not always represent things in exactly a true light. The representations of these delegates to the people in their own localities will be found to be far stronger inducements to immigration than the offering of assisted passages or the payment of premiums a certain time after arrival in this country. I think also that this system of delegates which has been found so successful with regard to England, Ireland, and Scotland, might be efficiently carried out with regard to Germany, without at all interfering with the close system to which the hon. member for Halton (Mr. Macdougall) has referred. I know that the German Government will not allow anything like propagandism for the purpose of inducing their people to leave; but I am certain that if that active and energetic people of 40,000,000 are put in possession of proper and reliable information with regard to this country, we may look for a certain amount of immigration from that country. With regard to the system of establishing small colonies as a means of promoting larger immigration, I am quite in accord with what has been said by the hon. member for Halton (Mr. Macdougall). In my own county, as well as in Waterloo, Huron, Bruce and other counties, there are large and flourishing German settlements which show what may be accomplished by that people in a country like this, and if the Ministry were to hold out some inducements for the extension of that mode of inducing settlement, I am certain it would result in the propagation of views in Germany with regard to Canada which could not fail to bring many more Germans to our shores.

Mr. ROSS (Middlesex). I should like to have some explanation with regard to the item \$6,000 for salaries of special agents in Europe, and \$7,000 for travelling expenses for the same. I noticed by the Public Accounts that a sum of \$10,665 has been paid for the travelling expenses of agents in connection with the London (England) agency, and I see also there is \$1,200 paid to a special agent in the eastern States, and \$1,300 for his travelling expenses; also over \$1,200 for the salary and contingencies of a special agent at Gimli. I would like to know what work is laid out for those travelling in Europe; also, what are the special duties of the agent travelling in the eastern States. I can understand the duties of an agent at Duluth and Glyndon, but I cannot see the need of an agent in the Eastern States.

Mr. POPE. The agent in the eastern States is a French-Canadian gentleman named Lalime, who has been employed for a long time. His business is to distribute information to the French-Canadians in those States about our North-West, and he has been successful each year in inducing considerable numbers of them to settle in Manitoba. The

English agent is Mr. Dyke, of Liverpool. He has travelled through England distributing information. For instance, the pamphlet published by the farmers' delegates he has circulated in large numbers, sending them to every postmaster in his district. He has also been very useful in looking after the interests of Canadians engaged in the cattle trade. The agent in Glasgow is Mr. Graham, whose business is similar to that of Mr. Dyke and Mr. Lalime. Then we have Mr. Connolly at Dublin, and Mr. Foy at Belfast, both performing similar duties. There is also a gentleman in Germany doing the same work, and these, with the exception of London agents, are all the travelling agents we have.

Mr. ROSS. What about the agent at Gimli?

Mr. POPE. That is Mr. John Taylor, and he was charged with looking after the Icelanders. A great many of them have now left owing to the rise of water which drowned them out. I have given instructions to inquire into the need of retaining Mr. Taylor's services, as I think we can dispense with them now.

Mr. ANGLIN. The hon. member for Halton (Mr. Macdougall) apparently understood me to complain of the policy of the Minister of Agriculture in inducing the English and Scotch agents to visit this country. On the contrary, I said the most of us on the Opposition side of the House approved of the experiment, for it was considered as such. What I complained of was that when this vote was asked for the Minister of Agriculture was not prepared to furnish the information which I believed we were fairly entitled to. I never expected such great results from the experiment as the hon. Minister did. We have received information on the subject this evening, but not from the hon. Minister. The hon. member for Lisgar (Mr. Schultz) has told us that they have received three settlers in the North-West as a direct result of the visit of those delegates. One of the delegates himself purchased a farm there; another settled his son there, and another his nephew. More than that we have no authentic information of. The hon. member for Halton has told us a pleasing story of the effects of that visit. He thinks the visit has already resulted in sending to us numbers of gentlemen farmers from England and Scotland who, while possessing capital, engage themselves in the labors of the farm. They are coming into various parts of Ontario quietly and without reporting themselves, and are purchasing farms already improved from Canadian farmers who desire to remove to the North-West. This is a pleasing picture, but we cannot be sure that it is not overdrawn. I am inclined to think there has been no considerable number of farmers of that class induced to come to this country by the visit of those delegates. We frequently see the sales of farms in various parts of Ontario recorded in the papers, but rarely is it stated that these farms were purchased by gentlemen of that class from the old country. The farms seem rather to pass from the hands of Canadians to the hands of other Canadians. It would be well if we had some authentic information on that point.

Mr. POPE. What do you want?

Mr. ANGLIN. We want to know what good the money expended by the hon. gentleman has done for the country. I should like to know what results have flowed from the visits and reports made by delegates. The hon. Minister did not tell us, while the hon. member for Halton (Mr. Macdougall) appeared to think he could not do so. Several hon. gentlemen could however have borne testimony, if excellent results had been obtained. I do not believe any large amount of testimony of that character can be given. With respect to the quotation made by the hon. member for Lisgar (Mr. Schultz) from an article by Mr. Tuke, in the *Nineteenth Century*, the House does not know who Mr. Tuke is, or

where he obtained authority to speak on the subject. He reports that he had an interview with the Minister of Agriculture. Whether he proposed the scheme to the Minister, or the Minister proposed it to him; I do not quite understand; but at all events, we have learned this much, that the scheme must have originated in some quarter other than in the fertile brain of the High Commissioner, who, I had supposed, was the first one to suggest it to the Minister. If Mr. Tuke suggested it, had he any authority from, or did he represent, the Imperial Government? With respect to Irish immigration the scheme amounts to nothing. The Dominion Government expects the Imperial Government to do a great deal, while the Imperial Government expects the Canadian Government to do a great deal, and to take all the trouble, merely receiving from them countenance and moral support. At all events, for the present, the grand scheme is, to say the least, in abeyance. As no further information is to be obtained on the subject, perhaps the Minister will explain how the reduction from \$7,000 to \$4,300 occurs in the London office, and whether the gentleman who was in charge of the Immigration Department, before the High Commissioner was appointed, and who, it was understood, was not to be employed further, but was to leave with a gratuity, is or is not employed by the Government.

Mr. DOMVILLE. I am sorry the hon. member for Gloucester (Mr. Anglin) has seen fit to attack the Government for bringing out emigrants to this country. The hon. gentleman has done nothing but find fault with the Government, instead of suggesting some means by which people can be brought to settle New Brunswick and Nova Scotia. I take up the public journals and I find accounts of people leaving the Province. I say the people are going away, I admit it. Such newspaper statements are no more correct than some statements made in this House on the same question. It is an assumed proposal, the people may leave and they may come back. We have seen people who left Ireland and do not want to go back. I hate to see the efforts of the Government, which has done so much for the country—and which if it did not bring about good times, assisted the various enterprises—disparaged, for they have endeavored to bring and place immigrants in the North West, and I hope they will endeavor to frame some means whereby they will add to the population of the Maritime Provinces.

Mr. POPE. With respect to the expenditure in the London office, Mr. Dow receives \$2,500, the secretary gets \$1,200, and Mr. Dickson \$600.

Mr. ANGLIN. I wish an explanation of the reduction.

Mr. POPE. Last year Mr. Annand was at the office He is not there now; he has left. With respect to Mr. Tuke, he is a gentleman of great experience and education, a man who has the confidence of the British Government, and who came to this country (I have no right to say so) and might have travelled through it at the instance of the Imperial Government; and the result of his visit will be found in his report in the *Nineteenth Century*. With regard to Mr. Cubitt, perhaps he wrote some letters that might not have been what would please hon. gentlemen; but a better report has not been made by any delegate, either last year or this, than the report of that gentleman, which I received a few days ago. He gives a good, pleasing account of the country, especially the North-West. The hon. member for King's (Mr. Domville) thinks the Government should have done something to promote immigration to New Brunswick. I have tried to do something for New Brunswick. In order that people should come to this country, it is necessary that they should have confidence in the reports of the country. I asked the people to elect these men for themselves; they

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came to see the country, and went back and made their reports. I did not send them to the North-West only, but also through New Brunswick, Nova Scotia, Ontario and Quebec, and they have reported on all these Provinces as fields of immigration. If hon. gentlemen will turn to the reports of these gentlemen, they will be satisfied that no better course could have been taken. When in England last year, from one part of the country to the other, I heard enquiries of these men. Canada owes a great deal to these men, who, by their reports and lectures, disseminated a great deal of reliable information, which would not have been believed if it had been given by some Canadian whom they did not know. Hon. gentlemen opposite will not draw me into giving information with regard to the action of the British Government, which I think I should not give at this moment. I take no credit for the document on Irish immigration. The whole credit of that is due to the High Commissioner in England, who alone conceived the idea, and I believe good results will flow from it. The hon. gentleman (Mr. Anglin) asks what fact can I point to as showing that any good has resulted from the visit of the tenant farmers. I can say that the sum now to be voted is a paltry sum in comparison with the amount of money some of these tenant farmer immigrants have brought into the country. I can point to a dozen immigrants in Toronto, who have been induced to come out by the influence of these men, and who to-day are carrying about their pockets \$100,000 and more. I can point to a class of people coming to settle amongst us, of whom we may well be proud—people who will have a great influence in inducing their friends in the old country to come out; and I believe we are laying the foundation of a class of immigration such as we have never had before. This is what I can point to for the expenditure of last year, and I intend to pursue the same course in the future.

Mr. CHARLTON. I would like the hon. Minister of Agriculture to give us some more definite information with reference to the number of French-Canadians the agent in the New England States induced to leave there and go to the North-West.

Mr. GAULT. I can speak from personal experience. On board the train, between St. Paul and Winnipeg, there were three families from the eastern States going to Manitoba; they were not French-Canadians, but English immigrants. There was also a family from Georgia, going to settle in Manitoba. Last week, I believe, between one and two hundred immigrants arrived in Montreal on their way to Manitoba. I think the Minister of Agriculture is entitled to the very best thanks of the House and the country for having brought out these tenant farmers from England, Ireland and Scotland.

Mr. KRANZ. Having been a German immigrant myself, I may make a few remarks on German immigration. The reason why German immigration to the United States is so large is that a great many Germans emigrated there years ago, and their friends are always following them. There is hardly a family in Germany who has not one or more members in the United States or Canada. Germans generally emigrate to a country where they have some friends. The larger territory and population of the United States must certainly attract a larger immigration than Canada. I can, however, point out in the county of Waterloo a few families who have drawn after them hundreds of others, and I believe the founding of German colonies in the North-West is the proper way to encourage a large German immigration to the North-West. I cannot complain of the action of the Government in furthering German immigration. I think they have done about all they could do. All we require to do is to make Canada better known in Germany, which can be done by means of pamphlets and the press generally. I do not agree with

my hon. friend from North Perth, as to the utility of delegates. If they went back to Germany I am afraid they might get into trouble with the German Government. I think one or two agents in a seaport, or the interior, who could circulate reliable information would be all that is required. The German Government will not allow agents to go through the country and persuade the people to emigrate, but the Government has no objection at all to trustworthy information being given on the condition and resources of the country. Another mode of circulating more knowledge about Canada would be to enter into communication with agricultural societies in Germany, and to send samples of our grain and different manufactures, as well as of minerals, to agricultural and industrial exhibitions. No doubt the Syndicate will do a great deal to further German immigration. As I understand, they will float some of their bonds in Germany, and thereby make Canada known to the capitalists of Germany who when they hold those bonds will take an interest in the country, and thus make practically good immigration agents for Canada. Some years ago, the Ontario Government issued pamphlets stating how much the laborer could earn, &c., and promising each immigrant a bonus of \$6 per head. I know I have obtained many payments of these \$6 for immigrants, but that order has long been rescinded. This pamphlet is, however, yet circulated in Germany. Last summer immigrants showed me those pamphlets and asked me where they could get the \$6. I explained that was an old law, but they felt dissatisfied and wrote home that they were induced to come here under false pretences. These pamphlets should be all taken up and the Government should take steps to prevent the steamboat agents from circulating them.

Mr. CHARLTON. The hon. Minister of Agriculture has not answered my question yet with reference to the efficiency of his labors in New England. I want to find out what are the prospects of inducing Canadians that now find homes in the United States, to return to Canada.

Mr. POPE. A considerable number have returned.

Mr. CHARLTON. That is rather indefinite.

Mr. POPE. At one time, not since I was in office, a certain amount per head was given by the Government, also a certain commission for all emigrants on the other side. These have been done away with, and has, to a certain extent, lessened the number returning, because there is no inducement so strong to the emigrant as cheap passage rates.

Mr. GAULT. The National Policy is bringing on fifty immigrants from Belleville, New Jersey, to Montreal.

Sir RICHARD J. CARTWRIGHT. The National Policy is the very worst inducement to get immigrants to come out here. The knowledge that we have been foolish enough to imitate the American folly, and inflict enormous taxes on every one that comes here, has a good deal to do with the immigration.

Mr. GAULT. Mr. Graham, a gentleman from Manchester, thoroughly versed in manufacturing, says that England is superstitious about free-trade, but is bound in the end to adopt protection.

Sir RICHARD J. CARTWRIGHT. A very valuable authority. If the hon. gentleman will consult any of the periodicals of standing in England, or what English Ministers or other persons choose to state, he will find that those who are really capable of forming English opinion are expressing an opinion about our great policy which is not calculated, in the slightest degree, to assist the Government in bringing in immigrants. And looking into the particulars which deal with that subject he will find that our fiscal policy has had a very prejudicial effect on the minds of a very great many persons who would otherwise have come to this country—of a better class of emigrants who would have brought capital with

them—and naturally enough. No man can go into any Canadian town and enquire the price of articles and goods in general use and consumption without seeing that our people are unhappily greatly weighted down by this policy.

53. Immigration and quarantine.....\$36,266 00

Mr. BLAKE. For a great many years there have been carried under the head of contingencies and unforeseen expenses of Grosse Isle a number of sums, including entire salaries and portions of other salaries. All I wish is to systematize the accounts, with a view to its improvement, so that all that is a regular current charge, in the shape of salaries, should appear under that head, and disappear from that of contingencies.

Mr. ANGLIN. I believe that the expense of those quarantine establishments could be reduced very materially without impairing their efficiency. Emigrants now for the most part, come out in steamers; there is less sickness among them, and no need of such expensive establishments as the old times called for. Some quarantine provision is necessary at Quebec, but little or none elsewhere. We have, I see, an item \$600 for boat hire in the Lower Provinces. Speaking of St. John, N.B., there is no need of it I think, though years ago it was necessary, as the physician of the port lived at the mouth of the harbor, and had to be rowed to vessels to be examined. Now he lives in the city and only visits vessels when required.

Mr. POPE. He requires a boat now.

Mr. ANGLIN. There is no necessity for this boat hire at Halifax either. Moreover, if chaplains are needed at Halifax, we should also have them at St. John. With regard to the item for the Tracadie Lazaretto, I think it my duty to state that the hon. Minister of Agriculture has done his whole duty in this respect, and the institution is now in a much more satisfactory state than before.

Mr. DALY. With regard to the observations of the hon. member for Gloucester, I can testify that the item for boat hire at Halifax is necessary, as the medical officer must have it kept ready when he wants to visit vessels in the harbor. This is no new appropriation, it having been an estimate for many years. The present Government have dispensed with the services and care of the two inspecting physicians formerly employed, thus decreasing instead of increasing the appropriation.

Mr. ANGLIN. How many times in the year is the boat required by the physicians at Halifax?

Mr. DALY. It is constantly required.

Mr. POPE. With respect to the remarks of the hon. member for West Durham, in looking over these items I really cannot see how any improvement can be made in the manner of presenting them. You have here opposite each officer the salary which is paid him. As to the general expenditure, let me say that when I took charge of the department I cut down that item of Grosse Isle from \$13,000 to \$9,000, and the latter amount has been the expenditure ever since. As to the other remark which was made by an hon. member, I may say that it will be found that there are not now two chaplains at Halifax.

Mr. BLAKE. I have told the hon. gentleman how I think he should arrange these items. My information is from the printed report of the Auditor General, and from the analysis of the accounts which is made in that report, it appears that the amounts which the hon. gentleman takes in his estimates is for six months' salary of these officers, while these officers' services always last longer—I believe between two and three months—because the season is longer.

Mr. POPE. Not between two and three months. It may be one month.

Mr. BLAKE. If the hon. gentleman states that the rule is that the period which extends over the six months is only a month, then I have nothing more to say; but that certainly is not the impression which I gained through an analysis of the accounts for the last fiscal year, which appears in the reports of the Auditor-General. Then the hon. gentleman did not say a word about the subject of the chaplains at Grosse Isle, whose whole salaries go in under the head of contingencies.

Mr. POPE. I was not aware that there were any chaplains there.

Mr. BLAKE. So it appears; and the House did not know that there was \$400 for chaplains at Grosse Isle. The Minister tells us that he himself did not know it.

Mr. POPE. The hon. gentleman has all at once struck out on a new track. I tell him that I did not know whether there was a chaplain there; but surely this question of \$400 which he says he has found in the report of the Auditor-General—which I did not know of and which I believe he did not know of until he found it there—is not such an alarming matter that he should become so excited about it.

Mr. BLAKE. The manner in which the hon. gentleman meets my remarks seems to me to be somewhat extraordinary. I first made a suggestion and the hon. gentleman did not answer it. Then I repeated my suggestion and he said he did not believe there was such an officer there. I say that this proved the importance of my suggestion, because neither the House nor the Ministry was aware that a salary was being paid to such an officer. Now, if he will look at the correspondence between his own department and the Auditor-General, he will find that his deputy says that by instructions he will not make any change in keeping these accounts, and that he is determined that the suggestion that the salaries shall be charged as salaries shall not be accepted. And he gives the reasons, which I do not think, however, are good reasons, for retaining these salaries under the head of contingencies.

Mr. POPE. I wish to say to the hon. gentleman that I do not intend to be dictated to by the Auditor-General as to how I shall keep the accounts of my department. I shall endeavor to keep them in a proper and satisfactory way, no matter what the Auditor-General or my hon. friend may say—a way which I think will be satisfactory to the country.

Mr. BLAKE. I quite agree that the hon. gentleman should not allow himself to be dictated to by the Auditor-General nor by me, but I submit that he will be dictated to by the House, and I submit also that the House will not allow itself to be dictated to by him, and what we have to learn is whether the House and the Government agree that it is the proper system to have a fixed charge for the salaries of permanent officers concealed under the item of contingencies. I do not say it is improper, but I say that we have no opportunity of judging when it is put in this shape. The suggestion which I made to the hon. gentleman I had previously made in another place to his colleague the Finance Minister, who said that my observation was deserving of consideration, that he would consult his colleague with regard to it, and that my general view was correct. The hon. Minister of Agriculture differs from his colleague, and I hope the Finance Minister, who is interested in keeping the accounts on a proper footing, will recognize the propriety of the suggestion and see that it is at least taken into consideration.

Mr. POPE. I did say that I did not believe there were any chaplains at Grosse Isle, but that I was not aware of it. I said I would not be dictated to by the Auditor-General, nor by the hon. gentleman, nor do I intend to be. I expect to be controlled by the House, but I did not expect that the remark I made would cause the hon. gentleman to make a noise which could be heard half a mile off. I always endeavor to treat the hon. gentleman with the deference

Mr. POPE (Compton).

due to a leading member of the House, but I certainly gave him no provocation for adopting the manner in which he addressed me.

Sir RICHARD J. CARTWRIGHT. For the information of the House, I will read the letter which appears in the report of the Auditor-General, as having been sent by the hon. gentleman to the Auditor-General:

“DEPARTMENT OF AGRICULTURE,  
“OTTAWA, CANADA, 27th February, 1890.”

“Sir,—The attention of the Minister of Agriculture having been called to a paragraph in your letter of the 26th inst., in which you say:—

“I still hold that the salaries of the chaplains are not a proper charge against contingencies. If the department wish to retain them, their salaries should be estimated for, and I trust they may be so classed in the Estimates soon to be submitted to Parliament.”

“The Minister desires me, in reply, to state that, in his opinion, these payments are purely of a contingent nature, and in this view they have been purposely withheld from the list of regular salaries in the Estimates.

“Therefore, the Minister does not intend to alter the Estimates, but, on the contrary, it is his intention to have them submitted to Parliament in the usual form.

“I have the honor to be, Sir,  
“Your obedient servant,

“J. LOWE,  
“Secretary of the Department of Agriculture.”

“J. L. McDougall,  
“Auditor-General,  
“Ottawa.”

And yet the Minister did not know that these chaplains were retained and employed at Grosse Isle. I wish the hon. Minister may have a better memory for the future.

Mr. POPE. I do not pretend to say that my memory is very good, but I say that very likely this matter may have been brought before me; very likely I gave those instructions, and very likely if I were asked I would give the same instructions to-morrow.

Mr. ROSS (Middlesex). I wish to ask the hon. gentleman a question which I trust will not unduly excite him. The hon. member for Charlotte (Mr. Gillmor) who is absent to-night, was anxious to know whether cattle imported from England, for the special purpose of improving breeding stock, have to go through the course of quarantine.

Mr. POPE. Certainly.

Mr. ROSS. The hon. gentleman (Mr. Gillmor) thinks that as these cattle are specially selected from stock supposed to be in a healthy condition, a quarantine would not be required with regard to them.

Mr. POPE. I am happy to give the hon. gentleman and the House the information he desires. The hon. gentleman will remember that at one time our cattle were prohibited from going into the United States at all. Cattle passing through this country were subjected to eight days quarantine, while the quarantine at their ports for such cattle was ninety days, so that our cattle were prohibited altogether. For that reason they prohibited our cattle altogether from going into the United States. I made an arrangement with those people to the effect that we should have the same quarantine for all cattle coming from Europe and other infected countries, that they had, and by that means we got the prohibition taken off our cattle. There is a false impression that leads to a great deal of inconvenience, and that is that people can ship cattle from the United States to Canada by quarantining them. That is impossible. We are obliged, in order to keep the English market open to our cattle, to prohibit altogether cattle coming from the United States. The moment we removed that prohibition we would be scheduled on the other side and kept out.

Mr. ROSS. Do I understand the hon. Minister to say that the quarantine is on cattle imported from Eng-

land, and the prohibition on cattle coming from the United States?

Mr. POPE. Yes. The quarantine is for ninety days.

Resolutions ordered to be reported.

#### VACANCY IN EAST NORTHUMBERLAND.

Mr. BLAKE moved that the Speaker do issue his writ for the election of a member for the east riding of Northumberland, in place of Joseph Keeler, deceased.

Mr. KIRKPATRICK. It was decided last Session, on the suggestion of the hon. member for West Durham, that there was no necessity for a motion of this kind in similar cases.

Mr. BLAKE. Nothing of the kind. On the occasion of the decease of the late member for Chateauguay, the writ was moved for and granted.

Mr. KIRKPATRICK. It was in opposition then to the hon. member's own suggestion, because, under the Election Law as it now stands, upon a death being certified to the Speaker he issues his writ as a matter of course.

Motion agreed to; and (at 12:10 o'clock, a.m.) the House adjourned until Thursday at 3 o'clock.

### HOUSE OF COMMONS.

THURSDAY, 3rd March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### DOMINION LANDS.

Sir JOHN A. MACDONALD introduced a Bill (No. 70) to amend the Dominion Lands Act. He said: The Bill provides for several amendments to the Dominion Lands Act which appear to be called for. One of the amendments proposed is to diminish the size of the common road through the country west of the surveys from 100 feet to 66 feet. It has been found that 66 feet is quite sufficient in the Province of Ontario and elsewhere. The present surveys allow 100 feet at the suggestion of the original settlers who were accustomed to have wide trails, but it is believed now that these involve a wanton waste of land, and additional cost on the municipality. There are one or two clauses altering the mode of survey in order to provide for diminishing the width of the roads. There is also a provision to enable the Governor in Council to make sales, in special cases, on terms and conditions for the purpose of settlement and so on. At present a party can only obtain 160 acres for homestead, and 160 acres for pre-emption, but under this proposed provision parties can buy tracts for the purpose of settling their tenantry or immigrants upon lands in the North-West. There is an alteration in the Act enabling the Governor in Council to provide for such cases. The Bill also provides that, in order to facilitate immigration, lands may be entered in advance. The emigrant leaving Europe has now no security that he will obtain his lot when he arrives; because it is "first come, first served." It is well known that German emigrants generally send out agents in advance—to the United States hitherto—and they select the tracts, and the emigrants afterwards proceed there with their doctors, blacksmiths and artisans, in fact as a community. The Bill provides that, within certain limits, parties who *bonâ fide* come forth to organize communities may have lands, for a reasonable time, reserved to them, so that the colony or community when it arrives may not be broken up. There is also a provision by which an agent

can enter the names of emigrants for a location before they arrive in this country. The Bill contains a provision by which parties who undertake to assist their tenantry, or companies formed for the purpose of aiding immigration, may, within certain fixed limits, be enabled to agree with settlers that the money advanced to bring them out and settle them on land here shall be a charge upon the homestead, on the parties signing an agreement to that effect. These are the principal provisions of the Bill.

Mr. BLAKE. It is much to be regretted that a Bill so important as this should not have been brought down at an earlier period of the Session.

Bill read the first time.

#### BANK ACT AMENDMENT BILL.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to amend the Act 34 Vict., Chap. 7, respecting certain Savings Banks in the Provinces of Ontario and Quebec, by enabling the Governor in Council to fix a less rate of interest than four per cent. per annum, as that to be paid to depositors by banks chartered under the said Act, and by making better provision as to the payment of dividends out of the profits of the bank, and as to notices of the annual or other meetings of the shareholders, and to continue the charters granted under the said Act until the first day of July, 1891, subject to the said amendments and the provisions of the said Act as amended by the Act 36 Vict., Chap. 72.

He said: I proposed a somewhat similar resolution, and I think a Bill was introduced, last Session, extending the charters of these banks for ten years. It was amended in the other Branch, and sent back for approval to the House of Commons, simply extending the charter one year. This proposition is to extend the charter for ten years from July next, to require certain returns to be made, and authorize the Governor in Council to reduce the limit of interest which is now fixed at four per cent. It also deals with notices of annual and other meetings of shareholders not provided for in the charter at present.

Mr. ANGLIN. Ten years extension is more than we ought to assent to. Since Sir Francis Hincks insisted on those institutions becoming chartered institutions with a capital, &c., we never hear of distributions to charitable institutions, such as were made formerly, to my knowledge. They are worked now entirely for the benefit of shareholders, and the question is whether they ought to be allowed special privileges, or simply be made banks as others are, taking money at one rate of interest.

Mr. LANGEVIN. Since these banks have been incorporated under their new charter, they have distributed a very large amount of money. The last amount paid by the Montreal City and District Savings Bank was \$10,800.

Sir RICHARD J. CARTWRIGHT. The hon. Minister does not wish to convey the idea that the charter prescribes a gift on their part, I think it is purely voluntary.

Mr. LANGEVIN. Ten years ago, when the Statute was being discussed, I think the amount that was considered as the share of the poor in these institutions was determined, and the interest on it at six per cent. was the amount to be distributed.

Mr. ANGLIN. When those banks were chartered they had very large surpluses remaining on hand. In St. John's, the Government determined it should go toward the support of the General Public Hospital. In Montreal, it was allowed to remain in the hands of the company who succeeded the directors under the old system. The hon. Minister now says there was an understanding, or an obligation, that they should pay interest at six per cent. on the amount so remaining, which was considered the property of the poor or the taxpayers. \$10,000 is very much less than was distributed by these banks in former years.

Mr. LANGEVIN. It was always between \$10,000 and \$11,000.

Mr. DOMVILLE. Parliament has not the right to tell these corporations what they should give to charitable institutions. The question might come up whether we should not put some restrictions on the way they employ their capital—whether they should be allowed to lend it out on banks stocks or not. They might be compelled to give to the Government a certain amount of their savings, as they should do under the Act. The hon. gentleman should say how their loans are placed—in what class of securities. They are lending the money of the public on such a class of securities as they think best. Of course, if the securities are good, there is no harm; but the public should know the nature of the securities.

Mr. PLUMB. I do not think, from what I know of the operations of savings banks, that there ought to be any provision which would enable the directors or managers to make any considerable profit out of deposits. It is evident that there is an anomaly in permitting savings under your charter to be deposited in a bank which is not, to a large extent, a charitable institution. I think there ought to be, on the part of Government and Parliament, and all who have to deal with this matter, every endeavor to keep up for the poor, to induce them to make deposits—the poor who ought to be the main depositors in the savings banks—the highest rate of interest consistent with the entire safety of their deposits. I think that those institutions should not in the slightest degree be encouraged to be speculative institutions. I think the deposits should be invested at the highest rate commensurate with safety, and that the managers, shareholders and others interested should not be permitted to make speculations out of the hard earnings of the poor; the deposit of which is intended to be encouraged, in those institutions. I had not seen this resolution before this moment, and I do not quite understand its entire scope, but if its intention is in any way to prejudice the interests of the class which we wish to encourage by institutions of this sort, I trust that it will not be pressed. I have seen that in the case of some of the larger savings institutions, charters have been granted after a large depositary had been established, and that the proprietors of those institutions were making a very large amount of money out of the large deposits which a confiding public had entrusted to them. I object entirely to that principle. I think that those institutions should be, as far as possible, charitable in their nature, and that their managers should have no emoluments. I believe certain persons would manage them cheerfully without pay. I think that this proposed step in the establishment of those institutions may tend to create a condition of things entirely objectionable, if not deplorable. I have not seen any good reason for giving the power to reduce this rate, although I know perfectly well that what is considered high interest, usually means poor security. But I do not believe we have yet arrived at the point where it is necessary to reduce, in this particular case, the interest on the investments of the poorer classes to below four per cent. But I conceive that the reason why those depositaries are encumbered with money, and have more than they can invest, is not that the poorer classes are flooding them with funds, but that other people, able from their knowledge of business to find other sources of business, have thrown their money into those institutions. I think it would be very easy, in the interest of the public, to restrict the amount of deposits which should be received, in which case there would be no difficulty in giving poor depositors the higher rate of interest.

Mr. GAULT. The City and District Savings Bank of Montreal has been a most admirably managed institution. Before its charter was granted, all profits were added up and given to the poor of Montreal, making a large sum semi-

Mr. ANGLIN,

annually. But the bank has had to put up a capital of \$3,000,000, on which, I believe, a call of 40 per cent. has been made, so that the directors and shareholders are responsible to the poor for their deposits. I cannot see why some share of profit should not go to the gentlemen who invest their money in those institutions. I know, to-day, they cannot invest their money, a very large amount of which they have lying in other banks to their credit, on which they receive but three per cent.

In answer to Mr. PLUMB,

Mr. GAULT. To-day they have a capital of \$3,000,000. The bank is in quite a different position from that which it occupied when it was simply a charitable institution. I have no doubt it will continue to give, in the future, the same satisfaction as in the past.

Sir RICHARD J. CARTWRIGHT. I want to know whether the \$10,800 to which the hon. gentleman refers is not the interest of a certain sum of \$180,000 which was formerly set apart by sec. 3 of 36 Victoria?

Mr. GAULT. It is.

Sir RICHARD J. CARTWRIGHT. I am not going to object to the measure at this stage. If this \$10,800 be the interest at 6 per cent. on the \$180,000, a poor fund, it is in no respect a division of any portion of the profits of those gentlemen, but a payment on account of a trust fund created at the time when, practically, the good will of the business was given to them in 1871, which was confirmed in 1873, and they do not give now any portion of their profits; in short, they merely pay interest on the sum set apart by Act of Parliament for the benefit of the poor in Montreal. If there is any other gift to mention, the hon. member for Montreal can state it.

Sir LEONARD TILLEY. I rather think the hon. gentleman has just stated the thing correctly. But I will remark, in reply to the hon. member for Niagara (Mr. Plumb), that what is proposed is simply an extension of this bank's charter with certain conditions not contained in the original Act. It was considered desirable to add the new section proposed to the provisions of the original charter.

Mr. GAULT. So far as I know, there has been no profit for four or five years to this bank. It is only in the past year that it realized a little profit from the increased value of its bonds.

Resolution considered in Committee and ordered to be reported.

#### CUSTOMS ACT AMENDMENT BILL.

Mr. BOWELL moved that the House resolve itself into a Committee of the Whole to consider the following resolutions:—

That it is expedient so to amend the Act 40 Vict., Chap. 10, amending the Acts respecting the Customs, as—

(1) To make better provision respecting the abatement of *ad valorem* duties on goods imported by water and damaged, and to extend such provisions to goods imported by railway or other land conveyance and damaged:

(2) To make better provision with respect to oaths and declarations required by the Act, and as to appraisement of goods for duty, and the collection of additional duty in cases under valuation:

(3) To provide more effectually for ensuring the payment of duties on goods warehoused, and for the punishment of frauds on the revenue by smuggling, using false invoices, or by certain offences with respect to goods warehoused:

(4) To make better provision for the decision of cases respecting goods seized and detained for breach of the Customs Laws:

(5) To empower the Governor in Council to transfer, for a time to be named in the Order, to the list of goods which may be imported free of duty, articles (whether natural products or products of manufactures) used as materials in Canadian manufactures, and to grant a drawback on the duty paid on articles so used or a specific sum in lieu of such drawback.

He said: It has been found necessary, in the working of the Customs Act, to make some slight amendments to that

Statute. The first amendment I propose to make is for the purpose of remedying a difficulty which exists at present with regard to allowances on goods which have come into the country by rail. At present a reduction can be made on goods which come into the country by water and are damaged, but there is not a similar provision with regard to those which come in by rail. Provision is also to be made for the better ascertaining of the amount of damage upon certain articles or goods. At present, if a bale of goods becomes damaged it is often put up at auction, and the amount which it may bring is the amount upon which duty has been collected. In other cases the valuation of the goods is made upon their value in Canada instead of in the country where they are purchased. The intention is to allow the rebate in value upon the price paid in the market whence the goods were purchased. The next clause will provide which officers in the Customs shall have the power of administering oaths. At present the law is so general that this power is interpreted to devolve upon any officer from the collector down to the preventive officer; we propose to amend the law by confining this power to the collectors, sub-collectors, surveyors and chief clerks. The next proposed change also has reference to the oaths to be administered and to the correction of a clerical error. At present power is given to the Governor in Council to limit a change in the oaths which it may be necessary to administer to importers, but no power is given to enlarge the oath. This latter power it is proposed to give when necessary; we also propose to take the final decision with regard to the valuation of goods out of the hands of the collectors. At present if any difficulty arises in the Customs in regard to the appraisal of goods, by the appraisers adding to the invoice and the importer objects, the appraisal must be approved by the collector. If the merchant objects to the increase in the valuation, then by giving notice, two merchant appraisers may be appointed to whom the question is referred, but in case they do not agree the collector who has previously given his decision becomes the final umpire. We propose to take this power from the collector and confer it upon the Commissioner whose decision shall be final. The proposition is also made to amend the 46th clause of the Customs Act, by striking out certain words upon which a great deal of difficulty has arisen, from the fact that, as administered by my predecessor and myself, the law prohibits any reduction in the invoices when presented for duty. The practice has been when goods have gone up in value, and the invoice is presented upon which the duty is to be paid, for the appraisers and collectors to exercise the power of raising the value of the goods to the market price existing at the time at which they were exported from the country in which they were purchased; but though the goods may have gone down in value from 20 to 50 per cent. the law strictly forbids any reduction in the invoice. We propose to strike out the following words:—

"And the value of any goods for duty shall never be appraised at less than the value for duty, as it would appear by the invoice and bill of entry."

I think the House will readily admit that when an importer is obliged to swear that the price at which he is entering the goods is their true market value at the time of exportation, he is placed, under the law as it now stands, in a position in which he should not be placed. The proposed change will enable the collector to add to or take from the value of the goods, according as their value has risen or fallen between the time of purchase and the time of exportation. By the next amendment, penalties will be imposed when goods are allowed to be removed from the custody of the Customs, unless the duty has been first paid. We have found that the revenue has suffered by the first practice of allowing parties to remove their goods upon the understanding that the duty shall be paid at a future time. We intend to prevent that by fining any collector or officer

of the Customs who will do anything of the kind. It goes further, and is intended to prevent what has been in the past termed the constructive bonding of goods, that is, allowing goods to go into consumption by receiving a bond from the importer, which is filed away in the department at Ottawa, or, perhaps, at the different ports, and is forgotten, while such articles may have been consumed, or in the case of machinery, worn out, the revenue losing to that extent. I think the House will agree with me that all importers should be placed in the same position, and that no advantage should be taken of a permission made in the past of allowing men to bring any influence to bear either upon the collector, or the Government, or the Minister of Customs, and through that influence to obtain a bond which will enable him to keep goods for any length of time and cause a loss to the revenue. I have had a number of cases under my observation during the last few years; one case was in the west and another in Montreal, and in both cases, in closing their bonds, and compelling them to pay their duties due the Government, I have collected from them something like \$10,000 each before they could release their bonds. Whenever articles of that kind are imported, the better way would be not to give any collector power to grant the admission of goods under such bonds; this power should only be exercised by the Governor in Council, who should assume the whole responsibility in the matter.

An hon. MEMBER. Does that include grinding wheat in bond?

Mr. BOWELL. That is quite another thing. It does not interfere with bonding warehouses as they now exist, or with the permission which is now given to any merchant to bond his goods, but it prevents the bonding of goods which are to go into immediate consumption without payment of duty, and it will effect all articles alike. It is proposed also to amend the 64th clause, which provides that goods in whole packages cannot be ex-warehoused unless the duty amounts to \$20, unless it be the remaining stock that is in warehouse. The proposition is to allow exportation of any whole package that is taken out of the warehouse and exported, if the merchant desires to do so. The amendment to clauses 76 and 81 of the Customs Act is merely the addition of a few words, forfeiting the goods which have been seized. The amendment to the 91th clause is merely technical. The clauses 119 and 120 gives to the Minister of Customs almost unlimited power in the disposal of all goods seized under the violation of the Customs Act. For those clauses I propose to substitute others by which, after an investigation into any violation of the Customs law which comes before him, he shall give his decision, which shall be final, unless the parties aggrieved think proper to appeal to the courts of law. My principal object in so amending this law is to take from any Minister the power which is given to him in clauses 119 and 120 of the Customs Act, which enable him, no matter how gross the violation of the law may have been, or how long the man may have been smuggling, or to what extent he may have defrauded the revenue, to relieve the offender, if he thinks proper, of the whole penalty. That is a power that ought not to be given to any Minister. If the law is to be enforced, the Minister, after having come to a decision, can tell the party what the provision of the law is by which he must abide, otherwise he can appeal to the courts. These are the principal amendments to the law. Then there is a clause with reference to the payment of drawbacks, which is made a little more liberal. The present law gives power to the Governor in Council to grant a drawback upon any article which enters into the manufacture of another article in this country, but it gives the Government no power to do that which the House will remember the Government was urged to do a few nights ago. We propose to add to

that clause the words: "or for granting a certain specific sum in lieu of such drawback," which will enable the Governor in Council, if they deem it necessary in the interest of any industry in this country, to ascertain what the amount of such article would be and give a sum in lieu of it. The same principle prevailed in the Customs Act of the United States in which, after having gone thoroughly into an investigation of the goods that are consumed in the manufacture of any particular article, the Government may declare by an order of the Treasurer what sum shall be paid in lieu of the duties which would have been paid if the article had been imported. The amendment leaves it optional with the Governor in Council to take such action as they may deem necessary with respect to the question of drawbacks, in order not only to facilitate the administration of the law, but to make it less troublesome to those who are more directly interested. I move the House into Committee of the Whole.

Mr. COURSOL. If these resolutions are adopted I hope they will enable the Minister of Customs to see that the law is more effectually carried out than it has been heretofore. As the law is at present the department has not always been able to do justice. I am credibly informed that smuggling has been carried on to a very considerable extent from the United States into certain parts of this Dominion. If the information I have received is correct \$150,000 worth of goods have been smuggled into this country every year across one particular portion of the boundary. That would be a very curious return which would show to this House the quantity and value of goods that have been smuggled into this country from the United States and other foreign countries. Different ports have different ways of doing business. Some charge high duties, while others charge low duties, and some add to the invoice price, while others do not. I think, therefore, that it is desirable that the hon. Minister of Customs should establish uniform rates and fixed rules as to the valuation of goods at the different ports, so that importers should not have any advantage one over another.

Mr. DE COSMOS. Before speaking on this question, I wish to enquire whether it is the intention of the Minister of Customs to repeal all the provisions of the Customs Law with respect to drawbacks, and introduce an entirely new provision.

Mr. BOWELL. No; the 11th sub-section of section 125 of the Act provides:

"For transferring to the lists of goods which may be imported into Canada free of duty, and for all articles (whether natural products, or products of manufactures) used as materials in Canadian manufactures; and for granting a drawback of the whole, or part of the duty paid on such articles which may have been used in Canadian manufactures; and any such materials transferred to the free list by such Order in Council shall be free of duties of Customs for the time therein appointed for that purpose."

For this I propose to substitute the following clause:—

"For transferring to the list of goods which may be imported into Canada free of duty, any or all articles (whether natural products or products of manufactures), and any such materials transferred to the free list by such Order in Council, shall be free of duty of Customs from the time wherein appointed for that purpose; and for granting a drawback of the whole, or part, of the duty paid on articles which may have been used in Canadian manufactures; or for granting a certain specific sum in lieu of any such drawback."

Mr. DE COSMOS. The question of drawbacks has been agitated at the extremes of the Dominion—in Nova Scotia and British Columbia. The Nova Scotia objection has reference to the specific drawback on tin and materials used for carrying oysters, lobsters and some other kinds of fish; in British Columbia objection has been taken for a number of years to the disallowance of applications for a drawback of the whole duty on materials used in canning salmon. When I read the Statute respecting drawbacks, I find it very difficult to determine what are manufactures and what are not. In

Mr. BOWELL.

the Trade and Navigation Returns canned fish are placed under the head of produce. In the interpretation clause which the hon. Minister proposes to introduce, I think canned fish, such as oysters, lobsters and salmon, should be defined as manufactures. The importance of having liberal provision made for retaining all duties paid on canned fish must be manifest to every hon. gentleman when it is observed that nearly one-tenth of the total export of fish from the Dominion consists of canned fish. Last year the total export amounted to about \$7,000,000, which, capitalized at four per cent., would amount to \$175,000,000 as the total value of our fish to this country. I have prepared a few statistics on this subject, which I will lay before the House. The total value of all kinds of fish exported from the Dominion in 1879-80 was \$6,579,656; of which Ontario exported \$32,982, Québec \$397,864, Nova Scotia \$4,353,441, New Brunswick \$631,746, British Columbia \$317,410, and Prince Edward Island \$293,913. There may be some mistake in the return from British Columbia for last year, as I find by a return of the Fishery Inspector of British Columbia that the total value of the fish product of 1879-80 was \$713,328, and of 1878-9 \$643,493. The total export of canned fish for 1879-80 was as follows:—At Québec, oysters, \$109; lobsters, \$27,940; salmon, \$1,296; total \$29,345. New Brunswick, mackerel, \$1,008; lobsters, \$157,726; salmon, \$1,758; total \$160,492. Nova Scotia, codfish, \$120; lobsters, \$604,459; salmon, \$5,116; total, \$608,675. British Columbia, salmon, \$294,555. Prince Edward Island, lobsters, \$128,882. Total value canned fish, \$1,221,949. An industry so great as this—amounting to over 20 per cent. of the whole exports of fish from the Dominion I take it—requires the serious consideration of the Minister of Customs and his colleagues. I will now refer to the capital invested in canning salmon in British Columbia, in 1880:—The value of vessels, steamers, canoes, boats, nets, etc., was \$87,025; 12 canning establishments, \$104,000; total value, \$182,025. Men employed: 40 sailors, 1,178 fishermen, 665 shoremen, making a total of 2,243 men employed during the season. In addition to the canning of salmon in British Columbia, we have another new and growing industry, and one of the most promising and profitable, I believe, to be found on the shores of the American continent to-day. During last year, in the fur seal fishery on the west coast of Vancouver Island, 13,500 fur seals skin were taken, valued at \$12 each, making a total of \$162,000. To conduct this business there were employed: 7 schooners, 27 sailors, 180 Indian hunters, 93 canoes. With respect to the drawback proposed by the hon. Minister of Customs, so far as I can gather from the Bill, he proposes that the Governor in Council shall have power to grant a drawback of the whole export of the duty. I find that objections were urged by Nova Scotia, as well as by British Columbia, with regard to placing a specific drawback upon materials used in canning fish. Last year a memorial was drawn up and signed by a number of gentlemen from the Maritime Provinces and some hon. members from British Columbia. The concluding portion of the memorial is as follows:—

"10. That we, therefore, respectfully urge that the existing Order in Council, granting only 34 cents per box on tin plate used in-canning be rescinded, and that an Order in Council be made authorizing the payment to the exporter of canned lobsters and salmon, of a sum equal to the actual duties paid on material used in the canning of lobsters and salmon exported."

The hon. member for Halifax (Mr. Daly) and myself waited on the Minister of Customs, and he had the agreeable duty to perform at that time of promising that an Order in Council would be passed, granting a drawback of the actual duties that were paid. It happened, for some reason or other—it may have been a wise one, but the reason I have not yet discovered—that the Minister, instead of carrying out the

promise made to the hon. member for Halifax and myself, had an Order in Council passed granting 50 cents drawback on each box of tin used in canning fish. That undoubtedly was liberal in comparison with the terms of the previous Order in Council. The Order in Council in force before allowed 34 cents; but the new Order in Council made it 50 cents, an increase of specific drawback of 16 cents. It appears that even that is unsatisfactory, as I will hereafter show this House. I will read a report of the Board of Trade of British Columbia on the subject of drawbacks. It is dated September 15th, and reads as follows:—

"The Committee appointed to consider the subject of drawback of duty on tin plates, etc., used in the manufacture of cans for preserving salmon, reported as follows:—1st. Prior to the year 1879 drawback of the actual amount of duty paid on tin plates was allowed, viz., 5 per cent. *ad valorem*, but on other material no drawback was allowed; 2nd. By an Order in Council, 11th June, 1879, the drawback was fixed at 34 cents for each box of tin plates used, and no drawback was allowed on other materials; 3rd. The above rate of 34 cents was by an Order in Council of 20th May, 1880, increased to 50 cents per box; 4th. The Committee is of opinion that no specific rate can be fixed, which, viewed from both sides, will fairly meet the case—the fluctuations in prices of material are great and violent, as instanced in the last two years, and so long as the duty imposed is *ad valorem* while the drawback is specific, it is probable there will be a considerable difference between the two. In 1879 tin plates cost in England as much as 32s. per box, and a similar article could be purchased not long ago, during the present year, at just half that price, viz., 16s. The duty paid in the former year (1879), was 80 cents per box, against which the drawback allowed was altogether inadequate, while at prices lately paid, the drawback will somewhat exceed the duty, although it will not equal the duties on all materials used in salmon canning; 5th. The Committee is therefore of opinion that the case would be best met by a drawback of the actual amount of duty paid on the undermentioned articles, being allowed, viz., on tin plates, slab tin, pig lead, muriatic acid, and copper bolts.

"Signed, MATTHEW T. JOHNSTON,

" J. H. TURNER,

" ANDREW ROME.

"Victoria, B.C.,  
"15th September, 1880."

That is the view held by the Board of Trade of British Columbia, and I find that in Halifax there is grave objection urged against the specific drawback also. In a letter to the *Evening Chronicle* of Halifax, there are statements showing how unfairly it operates. The letter was written in July last and reads as follows:—

#### "THE DRAWBACK ON TIN PLATES.

"To the Editor of the *Citizen and Evening Chronicle* :

"SIR,—Importers of tin, and all connected with the lobster trade, will appreciate the service rendered by the *Chronicle* in the late discussions respecting drawback on tin plates. I was particularly pleased with the exposure of the unsoundness of the principle now adopted by the Government, of a fixed rate of drawback on an article which pays *ad valorem* duty, and the value of which fluctuates greatly in the British market. In March, 1879, the duty paid on tin plates was about 40 cents per box; in May a little less. Later, the price of tin rose rapidly and the duty increased. In September it was 45 cents, in December 61 cents, and in February of the present year it was as high as 77 cents. On some of the invoices entered with these rates of duty, the importer is entitled to a drawback at the rate of 34 cents per box; on others, under the latest regulation, 50 cents. The Government pretend to repay the importer the duty levied on the article, but the figures I have given fully confirm your argument that under the plan adopted by the Government, the importer is deprived of what is admitted to be his right. Under the old regulation, in force when the Mackenzie Government was in power, the importer received a return of the actual amount paid; not a cent more nor a cent less. Why this simple and honest plan was abolished and the present stupid system adopted is a puzzle to the trade. It is absolutely certain that while the unsound principle is retained, the drawback must nearly always be unjust to the importer or to the revenue. The chances are not one in a hundred that the fixed rate will be just the amount paid. If it is more than the amount, it does a wrong to the revenue, and on that ground should be changed. But the Government take pretty good care that the revenue shall be protected, for they keep the rate so low that the importer, or the packer for whom he acts, is the sufferer. If I export a lot of tin to Newfoundland, I get a drawback equal to the amount I have paid. When I export it in the shape of lobster cans to Europe, I get a drawback of only 51 cents per box, although I may have paid 77 cents!"

I have obtained further information as to the duties paid on tin used in canning fish in Nova Scotia, and the drawbacks received, and I made an analysis of it which I will lay before the House. From 1st April, 1879, to 15th June, 1880, when a specific drawback of 34 cents per box of tin was

allowed, the drawback received and duties paid compared as follows:—On one invoice 26 cents were paid and 34 cents drawback received, or 8 cents received in excess of duty paid; on thirteen invoices 35 cents to 39 cents were paid, or 1 cent to 5 cents more than drawback received; on ten invoices 40 cents to 49 cents were paid, or 6 cents to 15 cents more than the drawback; on four invoices 50 cents to 54 cents were paid, or 16 cents to 20 cents more than the drawback allowed. That was up to the time the new Order in Council came into operation. Under the new Order in Council a drawback of 50 cents per box was allowed on tin imported after 1st July, 1879. That gave the following result: One invoice of ten imported into Halifax paid 34 cents duty and received the drawback 50 cents, or 16 cents in excess; ten invoices paid 36 cents to 39 cents, and received 50 cents drawback, or 11 cents to 14 cents in excess of the duty; fourteen invoices paid 40 cents to 49 cents, or 1 cent to 10 cents less than the drawback; two invoices paid 50 cents and received 50 cents drawback; twenty-three invoices paid from 51 cents to 57 cents, or 1 cent to 7 cents more than the drawback received; nine paid 60 to 69 cents, or 10 cents to 19 cents in excess of drawback; fourteen paid from 70 cents to 73 cents, or 20 to 23 cents in excess; one invoice paid 80 cents, or 30 cents more than it received; another paid 90 cents, or 40 cents in excess of the drawback. This appears to me to be convincing proof that, instead of a specific drawback, as has been stipulated in the recent Order in Council respecting drawbacks on the material used in canning fish, an *ad valorem* drawback should have been provided. The object of granting a drawback is to foster the production of articles for exportation, in which the raw material is combined with imported material. The operation of the specific drawback gives a bonus to one class of importers who import at less than specific rate, and deprives another class of the portion of the duty they have paid above the specific rate. I may further remark that no provision is made in the Order in Council for a drawback on slab tin, pig lead and muriatic acid and copper bolt; material used in the canning of salmon, lobsters, oysters, etc. I believe one reason urged why a specific rather than an *ad valorem* drawback should be established, is that an *ad valorem* drawback would cause a great deal of trouble to examine the accounts respecting the imports of materials used in canning fish. After analyzing a return produced in this House, I find that the total number of drawbacks granted was only 213, and of that number Bathurst stands for 8; Chatham, 21; Dalhousie, 2; Richibucto, 14; Shediac, 3; St. Andrews, 4; Halifax, 111; Charlottetown, 25; Summerside, 1; Victoria, 22, and New Westminster, 2. Now, the objection raised by the Government, that it would be very troublesome to find out the actual duty paid, cannot be sustained. When we have eleven Custom Houses distributed over the coasts of the Maritime Provinces, and two on the Pacific Coast, it appears to me the division of labor, so far as enquiring into the nature of those drawbacks is concerned, must become very light. Certainly, in a city like Halifax, where they have such a large stock of officials, the labor cannot be very great, although that is where the largest number of drawbacks were paid. In relation to the amount of drawbacks paid on canned fish, \$12,811.17, Bathurst received \$315.30; Chatham, \$144.05; Dalhousie, \$79.26; Richibucto, \$954.99; Shediac, \$106.88; St. Andrews, \$402.28; Halifax, \$4,565.16; Charlottetown, \$1,580.65; Summerside, Prince Edward Island, \$24; Victoria, \$4,604.40, and New Westminster, \$44.20. Now, the port that received the largest sum for drawbacks was Victoria, the next largest going to Halifax. In the one case, there were only 22 drawbacks, and in the other 111. I find that \$2,380.26 were paid in drawbacks on the tin used in packing starch, oatmeal, oil-cake, wire-fencing and meat, and for pilot bread in Quebec and Halifax. The total

amount, therefore, of drawbacks granted on tin is about \$15,000. I urge on the hon. Minister of Customs that, as there is an objection to specific drawback with reference to the materials used in the canning of fish, it would be desirable to grant an *ad valorem* drawback inasmuch as the materials pay an *ad valorem* duty. The merchant, I believe, has no desire to get any bonus under the operation of those specific drawbacks. He wants to have his business based on solid principles; and under an *ad valorem* drawback, the fluctuations of the market would enable him to get the exact duty paid, and the encouragement which, I believe, was the intention of the framers of the drawback originally. The resolution submitted, to my mind, will operate unfairly. The words read "and to grant a drawback on the duty paid on the articles so used." It is not proposed to grant a drawback of the whole duty on articles so used, or a specific sum in lieu of such drawback. I think I have shown that a specific drawback is objectionable. The present system does not meet the wishes of those engaged in the fish canning business in British Columbia. Another reason why we should give full consideration to this question of drawbacks in British Columbia is this: all the tin and other materials imported into that Province for canning purposes come from Great Britain, a distance of 17,000 miles, round Cape Horn, and up the Pacific. Those materials have to be ordered nine months in advance of use, there being a six months' voyage; this compels the canners to pay interest on the price of his goods imported. In the next place, the chief market for the canned fish is England, and thus the materials are sent back again. The material for canning is thus sent 17,000 miles further before the canner can get a return for his labor and capital invested—a part of the materials thus travelling 34,000 miles. So the British Columbia canner must suffer loss in comparison with his rival in the Maritime Provinces, who has the advantage of steamers constantly and rapidly crossing the Atlantic to and from England. A canner in any of them, short of tin, can flash a telegram to England, and in a few days get his tin. If he wishes to ship his lobsters or oysters, he can quickly send them by rail to Halifax, and thence to England without losing six months in bringing tin from England and six in sending his canned fish to that country. Therefore, the Minister of Customs should consider the position of the trade in British Columbia, which is now one of the largest canned fish exporting Provinces in the Dominion. They ought to take the matter into consideration and remit to our canners the actual duties they pay on all the materials they use in canning salmon.

Mr. MACDONALD (King's). This is a matter of considerable importance to Prince Edward Island, for, although the smallest Province in the Dominion, I believe it is becoming the largest producer of canned goods of any Province in Canada, not excepting the large Province of Nova Scotia. I believe our exports of canned fish for the current year will amount to near three-fourths of a million. It is an industry which has only grown up within the last two or three years, but it is assuming very large proportions, and it is likely still further to increase. I do not know that there is any great dissatisfaction with the present drawback under the rates which rule in Great Britain, but under the prices which ruled at the beginning of last season it would have been a great injustice. I can see no reason why there should not be a drawback for the full amount of the tin imported, and I hope the Government will take the matter into serious consideration. The other articles used in this business, all put together, would amount to a larger figure than is now allowed to take the place of the drawback. The canning, not only of fish but of all kinds of meats and other articles of diet, is a business which is also largely increasing, and I have no doubt the Government will give it the attention which it deserves.

House resolved itself into Committee.

Mr. DeCosmos.

(In the Committee.)

Mr. ANGLIN. I hope the hon. gentleman will give his attention to the question of the entire remission of the duty upon the articles used in canning fish—an industry which is now becoming an important one upon the Atlantic as well as upon the Pacific coast. It is a business which has not always been a very profitable one; indeed, in many cases, there has been actual loss, owing to the demand not having kept pace with the growth of the industry. The acids used in cleaning the tin, and other articles, are dutiable, and though the amount may not be large it is a serious consideration for those engaged in the business.

Mr. BOWELL. The Government will give every attention to the arguments which have been advanced by the hon. member for Victoria, British Columbia (Mr. DeCosmos), but both he and the hon. member for Gloucester seem to imply that the amount of the drawback upon the articles going into the manufacture of tin cans had always been paid by the previous Government.

Mr. ANGLIN. I said nothing about the previous Government.

Mr. BOWELL. No; but that was the conclusion which must be drawn from the remarks of the hon. gentleman. Reference was made to an article in the *Halifax Chronicle* in which it was stated that prior to a certain time the Mackenzie Government had paid such and such drawbacks. Even that article shows that the drawback was paid on tin alone, and no other principle has been recognised so far as I have been able to ascertain. Even the American Government, which pays so much attention to this subject, is not so liberal in that respect as we are in this country. The question of giving the full amount of the drawback on every conceivable article going into the manufacture of tin cans, is certainly worthy of great consideration. But I have grave doubts, from the short experience I have had, whether the canners would receive any more on the whole than they would by receiving a specific amount. But I readily concede this point, that, as the fluctuations in the market takes place, the amount which is to be paid should be calculated accordingly; that is, that the one rule of 34 cents which was in existence for sometime, should not be the fixed amount for all time to come. My hon. friend refers to the question of paying back those drawbacks as one of no particular moment in regard to the amount of labor which it imposes upon those who have to make the calculations. In order to sustain that position he quotes the returns from eleven ports, from which those exports have taken place which have received drawbacks. But this drawback is not paid by the collector at any of the ports. In fact, it will never be safe to entrust that power to the collectors, except, perhaps, at such ports as Halifax, Victoria, and other important ports. If we gave the power of granting drawbacks to every collector in the Dominion, I am afraid we would soon get into difficulty, and that a very large amount of money would be paid out which ought not to be paid out. All these claims have to be sent to the department, and one reason why I adopted the principle of paying a specific sum in lieu of this drawback, was to avoid the difficulty of making the calculations, which the practice has imposed upon the department, in making a thorough investigation of every invoice which covers all the articles referred to by the hon. member for Victoria (Mr. DeCosmos). I notice that the principle has worked admirably with reference to the drawbacks which we have been paying to the shipbuilders of the eastern Provinces. I have heard no complaints from any gentleman engaged in this important business. While I am not prepared to say, at the present moment, that I quite agree with the hon. member for Gloucester, that we should return to the old principle of

making calculations upon every demand we receive, and referring back to invoices received months or years ago, or perhaps not sent from the port to the head office at all, still I may say that the remarks made by the hon. gentleman upon this question shall receive the earnest consideration of the department.

Sir RICHARD J. CARTWRIGHT. If I understood the hon. the Minister of Customs aright, he proposes to modify the law in one direction which is now logical and symmetrical enough; that is to say, he proposes to allow parties to receive a rebate when the value of the goods they have imported has fallen. There is no gainsaying the logic of his proposition, but it occurs to me that the result will be that the Customs' authorities will be fully advised of all the reductions that take place between the date the goods were purchased and the making up of the invoice; but I doubt if they will be equally well advised of the cases in which goods have been purchased at a low rate and a large advance has taken place. It seems to me the importers will have a very considerable advantage in dealing with the Customs' authorities, who cannot be supposed to be cognizant of the changes in the market as well as the persons who are constantly dealing in the market. Then I see that in clause 5 the hon. gentleman proposes to empower the Governor in Council to transfer for a time to be named in the order, the list of goods to be imported free of duty. I would suggest that it would be better to defer the granting of a power like this until next Session, and then the sense of the House should be taken as to whether all these things should become a part of the law of the land. I do not object, speaking for myself alone, to the experiment being made for a reasonable length of time, but I think it is precisely one of those things upon which, after a certain time, the Government should take the responsibility of submitting to the House such changes as may be deemed desirable.

Mr. BOWELL. This is no new principle. It is in the Customs Act as it now exists. There is no limit in it at which these articles shall be declared free. The law says that we may transfer to the list of goods which may be imported into Canada free of duty, any or all the articles being natural products which are used as material for Canadian manufactures. When the hon. gentlemen opposite were in power, and their attention was called to the fact that a certain raw material was used in some particular manufacture, they frequently found it advisable to place that article upon the free list. There is no restriction as to the time it shall remain on the free list, that being left to the discretion of the Governor in Council. It is not proposed to extend this privilege in any respect, except that the latter part of the clause, provides for the payment of the drawback when difficulties arise in arriving at an exact sum, this is amended so as to empower the Council, after the approval of the Treasury Board, to declare that a certain sum shall be given in lieu thereof.

Sir RICHARD J. CARTWRIGHT. I am quite aware of the existence of this power; I am merely suggesting whether it would not be better, when we are altering the Act, to cause all these things to be brought formally before Parliament for discussion and approval. As to the other point raised by the hon. Minister, that the Government, having once placed an article on the free list, could, by an Order in Council, re-impose the tax, my impression is that they could not, that that would have to be done by Parliament again. But that is a legal question on which I give merely my impression.

Mr. BURPEE (St. John). It seems to me that the duty on tin cans, which the hon. Minister has referred to, is equivalent to a drawback. It seems to me the difficulty is no less by giving a specific sum than it would be by paying back the *ad valorem* duty. The value of the tin increases and decreases almost every

three months of the year, and the officer has the trouble of ascertaining the value of the imports from time to time, in order to know what to give back to the importer of the cans. I never learned the reasons why the practice of giving the *ad valorem* duty back was changed to that of giving a specific amount. I think a more convenient method of arriving at the true valuation of goods is to average the prices for a series of years, than to ascertain the change of price between the time of shipment and the time of arrival in the country.

Mr. BOWELL. When this matter was discussed a short time ago, I stated that the practice of the department when the hon. gentleman was a Minister, was to collect duty on the value of the goods at the time of their exportation from the country where they were purchased. The hon. gentleman then, as now, denied that statement; but, according to the affidavit which he himself put upon the Statute-book, every importer has to swear that the price of the goods mentioned in the invoice is the "fair market value of such goods at the time and place of exportation." Many difficulties arise under that law, as goods are frequently purchased months before they are exported. The object in changing the law is to prevent merchants from being placed in a false position.

Mr. PATERSON (Brant). It appears from what the hon. member for Victoria has said, that there has prevailed in the department the rule of imposing this specific duty without the authority of the Act. Instead of granting a drawback on certain duties that are paid, he has taken power to grant a certain specific sum. It appears from the remarks of the hon. member for Victoria that that rule has been followed in the department hitherto. He has told us that in granting drawbacks on the lobster cans, instead of returning the amount of duty paid, a certain specific sum fixed by the hon. Minister, regardless of the duty, has been given as drawback, that sum in some cases exceeding and in others being less than the amount of duty. With regard to the difficulty to the revenue pointed out by the hon. member for Centre Huron, I do not see that there is any danger in that respect. Within the last twenty-one months, some millions of dollars worth of manufactured goods have been exported upon which not a single cent of drawback has been allowed. The present hon. Minister of Customs has followed the traditional policy that when the Government once gets hold of some money it will not give it up. I would ask the hon. Minister whether the wording of this resolution does not empower him to grant drawbacks on certain articles that, I judged from his remarks the other day, he considered it beyond his power to grant, namely, finished articles used in the manufactured article. This sub-section of clause 125 gives him power, not only to allow a drawback on natural but also on the products of manufacture that enter into another article that is to be manufactured in the country. In that class, boiler plates and tubes, which are finished articles according to his interpretation, would be entitled to a drawback when they enter into the construction of a boiler to be exported to a foreign country. I would like to learn from the hon. Minister whether he intends to pursue a more just policy in future than that which has hitherto prevailed, and which has had a very prejudicial effect on our export trade.

Mr. BOWELL. When we reach the hon. gentleman's motion, I will be able to convince, even him, that the department has acted quite correct in not having paid the drawbacks to which he has referred. The question of granting drawbacks on manufactured articles is a question of policy, not a question under the law. The Government having adopted a policy for the purpose of encouraging manufactures in this country, it would be unfair to pay a drawback on articles manufactured in the country,

Mr. PATERSON. But if they are not manufactured in the country?

Mr. BOWELL. The duty will still operate as an encouragement to their manufacture, so long as they can be manufactured in the country. But if they can be imported and exported again without paying duty, the question arises whether that would be encouraging home manufacture. Under the old law, machinery not manufactured here was admitted free, and it was found a large portion of the machinery admitted under that class was found to be manufactured in various parts of the country. The question is open for discussion. My own opinion is that if we desire the manufacture of these articles, we should impose a duty on the foreign article.

Mr. PATERSON. The policy I recommend simply points in the direction of extending foreign trade. When I represent that there has been \$2,000,000 worth of articles exported in a few lines of goods on which not a single cent has been returned as drawback, there must be obstacles interposed by the department that can hardly be justified. If he really does not want to lose the export trade of manufactures altogether, there must be a more just and liberal policy than the present pursued. The proportion of the export trade is very small in comparison with the entire trade. The manufacturer of one line of goods entering into the manufacture of another line, is protected to the full extent of the home demand. It is only the minor portion exported on which he loses the benefit of protection. If you kill off the export trade altogether, you will not benefit your home manufactures. But if you keep your export trade alive, by giving this remission of duties on the raw material—and you cannot do so without it—you will have done no harm to the home manufacturer, who will still have enjoyed the protection afforded by the Tariff on all the products sold in this country. The only case in which he will lose anything is the minor amount exported, and unless encouragement is given the export trade it will cease, when the manufacturer cannot hope for any benefit.

Mr. BOWELL. No drawback was paid in the past under either the former Administration which the hon. gentleman (Mr. Paterson) supported, or that which preceded it, on manufactured articles. What I maintain is this: if the duty paid on the raw materials of Canadian manufactures be remitted to the manufacturer, he stands in a better position than before its imposition. How it can affect or destroy the export trade is something the hon. gentleman has failed to show. Under the old Tariff no drawback was paid to any manufacturer. The only exception made was in the fish trade, the drawback on tin for cans. But, in order to assist the manufacturers in Canada, and place them in as good, if not a better, position than they occupied prior to the higher duties, the Government agreed to give them a drawback on all the raw material that enters into their manufactures. How that is to destroy the export trade I cannot understand. If the principle laid down by the hon. gentleman be correct, an American manufacturer could make all the parts of a sewing machine, import it into Canada, set it up and export it again, so that the only labor performed in regard to it would be the putting together of its parts and setting it in running order, which would render unnecessary such a manufacturing establishment as that in Hamilton, employing 200 or 300 men. Its proprietor is now able to compete successfully in the United States with the American manufacturers themselves. I think, with regard to his case, that we have arrived at a solution that will be satisfactory to him, and which will place him in a better position than before the framing of the present Tariff, enabling him to carry on still more extensively that important industry which he has so successfully established.

Mr. PATERSON. The case is different as compared with the old Tariff, under which this manufacturer paid no

Mr. BOWELL.

duty on such raw materials as pig iron. This manufacturer might fairly say, I am entitled to a drawback to the extent of the \$2 a ton imposed upon the pig iron.

Mr. BOWELL. There is no dispute on that point, because the pig iron is a raw material.

Mr. PATERSON. He has not got that drawback.

Mr. BOWELL. Then it is his own fault.

Mr. PATERSON. It is strange, if drawbacks are procurable, that on \$2,000,000 worth of manufactured goods exported not one cent of drawback has been paid. There must be a fault somewhere. The duties have been, besides, increased on the other articles used in this and other manufactures, such as on tubing for boilers, boiler plates, bar iron and other things. Therefore, you may expect claims for drawbacks where none could be made before, and unless you grant those claims your policy will tend to kill off the export trade. As an illustration, take the duty on wheat—it is a finished article too—but when it was objected that the duty on it would kill our carrying trade, the Government provided for its passing through the country in bond. By a parity of reasoning, boiler tubing and other parts of boilers, such as are not manufactured, should be relieved of duties. So close is the margin of profits on those boilers exported, that the slightest discrimination against our manufacturers will enable their United States competitors to drive them from the foreign market. The remission of those duties would preserve this industry to the country, with all the labor and expenditure in connection with it. Otherwise you will kill off the export trade and bring in no boiler tubes from a distance. The Government would lose nothing, while the country would gain by the payment of drawbacks on exported manufactures to the amount of the duties on the raw materials.

Resolutions reported, read the second time and concurred in.

Mr. BOWELL introduced a Bill (No. 78) to amend the Act 40 Victoria, chapter 10, entitled: "An Act to amend and consolidate the Acts respecting Customs."

Bill read the first time.

#### QUEBEC JUDICIARY.

Mr. McDONALD (Pictou) moved the third reading of Bill (No. 58) to provide for the salaries of an additional Judge of the Court of Queen's Bench and an additional Judge of the Superior Court in the Province of Quebec.

Bill read the third time and passed.

#### SUPPLY.

House resolved itself into Committee of Supply.

(In the Committee.)

32. Salaries and contingent expenses of the Senate..... \$55,938 00

Mr. BLAKE. I would like to ask the Government what are their intentions with regard to superannuation allowances and services in connection with the library. Heretofore, so far as the Senate was concerned, these charges have been paid out of contingencies. Are they included in the present vote?

Sir LEONARD TILLEY. They were formerly paid out of contingencies but the matter was brought under the consideration of the Government and they resolved for the present, at all events, to strike them out. It is just a question whether the law can be met in that way, but we have the matter under consideration and if necessary we will deal with it in the Supplementary Estimates.

Mr. BLAKE. The fact that the estimate for the Senate was the same as last year, led me to ask the question, and I

thought if these charges are not to be voted the contingencies ought to be reduced by the amount.

**Sir LEONARD TILLEY.** Certainly, that was the intention.

**Mr. BLAKE.** It does not appear to have been done. I of course do not object to the vote at present, but my hon friend will see that it will be much more convenient, when we come to concurrence, to have the estimate reduced by these amounts, if, as the hon. gentleman says, it is the intention to strike them out.

**Sir LEONARD TILLEY.** Certainly. They are to be dealt with separately.

33. Salaries (House of Commons), per clerk's estimate.....\$29,000 00

**Sir RICHARD J. CARTWRIGHT.** There are several increases here.

**Sir LEONARD TILLEY.** There is \$400 to be restored to the salary of the Sergeant-at-Arms by which amount it was reduced last year, and \$200 to the accountant whose salary was previously reduced less that amount. Last year the then leader of the Opposition called attention to the reduction, and urged that the salary of the accountant should be placed at the old figure, for reasons which he (Mr. Mackenzie) stated. The \$400 addition to the salary of the Sergeant-at-Arms is voted because he is now performing the duties which he performed three or four years ago in connection with the Post Office. Those two amounts make the \$600 increase.

34. Expenses of Committees, extra sessional clerks, etc.....\$12,800 00

**Mr. MILLS.** A few years ago we asked \$10,000 for this purpose, and the hon. Minister of Customs proposed that that sum should be reduced by \$2,000 and that reduction took place. Now the hon. the Minister of Public Works is asking \$4,000 more for this particular service than he said was necessary when he was sitting on the Opposition side of the House.

**Mr. LANGEVIN.** I do not know whether the circumstances are exactly the same to-day as they were then. A large expenditure has been incurred every year for shorthand writers to expedite the work of committees. If by paying \$3,000 or \$4,000 more we can shorten the Sessions, the Treasury will not be the loser by it.

**Mr. ANGLIN.** Will the hon. gentleman be kind enough to tell us what Committees are sitting this year requiring shorthand writers? In some former Sessions we had some very important enquiries which entailed an extra expense, but I am not aware that we have any enquiries going on this Session.

**Mr. LANGEVIN.** This vote is for next year. The experience of the last two Sessions teaches us to provide for the future. If no witnesses are called and no shorthand writers are employed, then this \$1,000 may be saved. But as we must provide for all ordinary expenses of this kind, we propose to ask for \$1,000 for that purpose, and to reduce by \$500 the allowance for sessional clerks.

**Mr. MILLS.** How many Sessional Clerks are employed at the present time?

**Mr. SPEAKER.** Twenty-five.

**Mr. BLAKE.** Twenty-five are paid, but how many are employed?

**Mr. SPEAKER.** The whole of them are employed all the time.

**Mr. MILLS.** The hon. gentleman has referred to his experience in former Sessions. I think in the first Session of the present Parliament, when the reign of economy began, there was something like 100 sessional clerks here. A great many of these men were staying around here for months

doing nothing. One of these gentlemen, a Mr. E. King-Dodds, was appointed towards the close of the Session, and I believe he informed Mr. Speaker that he was about to engage in an election in the west, and that it was necessary he should leave in order to attend to his constituency, Mr. Dodds being a candidate for election to the Local Legislature. Mr. Dodds could not remain, and yet, as he had nothing to do, he could not understand why it was that the Government insisted upon keeping him. He could not understand why he should not be paid just as well when he was away as when he was here, seeing that he had nothing to do.

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

#### AFTER RECESS.

**Mr. MILLS.** When the Committee rose at six o'clock, I was referring to the case of E. King-Dodds, who was appointed sessional clerk towards the close of the Session of 1879. At the close of one week, or at the beginning of the next, he left the city and went west to canvass a constituency, and he was paid in the meantime \$160. Seeing that he had nothing to do, that he was anxious to leave, and that, according to rule, his pay could not go on if he did leave, the difficulty was obviated by antedating his appointment some 40 days, and he received \$160 for services never performed. I am inclined to think that was not an isolated case. I believe there was a case in Lower Canada where a gentleman was appointed and was not even aware of his appointment, but who, to his surprise, received his compensation as extra sessional clerk some days after the Session was over. Then, I believe, on that occasion, the hon. member for King's, N.B. (Mr. Domville), had one of these gentlemen who was employed at \$4 a day, furnished him as a private secretary, because, I suppose, it was thought he was more usefully employed in that way than he would be if he was allowed to kick his heels about the corridors with nothing to do. Then, I believe, the hon. member for Welland (Mr. Bunting), had another extra sessional clerk furnished him as a private secretary—so I have been informed. Then, on the present occasion, I think there was a translator employed for some time in the public service, Mr. Gelinus, who early last summer was appointed editor of the *Minerve* newspaper in Montreal; and while he was actively engaged in the discharge of his duties as editor of the newspaper, he was also paid as a public servant of this House. During the month of December last he received \$100 as permanent translator, and he received \$60 for that month as extra sessional clerk. I believe Mr. Gelinus, although he has resigned his position as translator, is still receiving pay as extra sessional clerk, while he is devoting himself to the conduct of a newspaper in Montreal. Hon. gentlemen will understand that the contingencies of the House will necessarily be very much larger under these circumstances. The hon. gentleman will, perhaps, be able to explain to the Committee how it is that Mr. Gelinus, in the month of December, received \$100 as a translator, and \$60 as extra sessional clerk. I refer to this as an instance of the way in which the public money is being expended. No doubt hon. gentlemen, in imposing so large a tax on the people of this country, feel it necessary to do something with the money they have obtained, and it may be they think that the best way in which this money can be applied is in supplementing the salary of the editor of a newspaper, by paying him as extra sessional clerk. I have no doubt that if the Committee of Public Accounts were to examine the clerks of the House, the accountant, and some of the hon. gentlemen opposite, we might obtain information which would, no doubt, lead to a very considerable economy in the expenditure of Parliament.

**Mr. SPEAKER.** The hon. member refers to the Session of 1879, but it must be remembered the experience of that

Session was altogether exceptional. During that Session a good many clerks were employed, perhaps more than were required. The gentleman to whom the hon. gentleman refers, Mr. E. King Dodds, I do not know personally. I think some persons applied to me for leave of absence for one gentleman—I do not remember whether it was Mr. Dodds or some other person—but I told them that it was possible that the presence of that gentleman would be required here. They told me that he had an engagement to deliver some lectures in Ontario on temperance. Perhaps it was to carry on an election—I do not know. Mr. Gelinus was employed as a permanent translator, and I learned by public rumor that he was attached to the *Minerve*, a newspaper published in Montreal. I called his attention to the fact that he could not occupy that position while he was engaged as a permanent officer of the House. He postponed his demission to the month of December, and on the first of December drew his salary for that month. I have since done away with the system of drawing salaries in advance. I insisted on his resignation and he gave it to me, though I did not ask him to repay what he had received for December. He afterwards applied to be employed as a supernumerary clerk.

Mr. BLAKE. I am afraid somebody has been—shall I say—humberging Mr. Speaker about Mr. Dodds, because that gentleman is well known as a crusader against the Scott Act. My hon. friend from Bothwell (Mr. Mills) mentioned that, on the occasion on which these pressing engagements were pointed out to Mr. Speaker, he was induced to give Mr. Dodds leave of absence from his less pressing engagement as one of the noble band of sessional clerks of the first Session; he received pecuniary assistance to enable him to fulfil his engagements to the extent of some \$160 for forty days.

36. Publishing Debates ..... \$18,562 50

Mr. BLAKE. This is an increase; but I observe that in the Supplementary Estimates \$10,000 is asked for, additional to that voted last year, indicating that the Debates are going to cost \$25,000. Yet, for next year, you only ask for \$18,562.

Mr. STEPHENSON. It is well understood that the extra efforts put forth this year to facilitate the publication of our debates, involves extra expense. The experiment of this year is something new, and from all I can gather, from the remarks of hon. members on both sides of the House, it has been an eminent success. I think there is no person who is a judge of the work performed, but will say that the success is such as never was attained in any Parliament or country in the world before. Our printers have been very prompt in getting out the debates, and the reporters have done their work very efficiently, so far as I am capable of judging. All this work could not be done without expense. We know that, heretofore, we have had very great complaints of delay in connection with the publication of *Hansard*; instead of having been a report valuable for present use, it was but a volume for future reference. But, so far as the *Hansard* has gone this year, it has been available at once. Not a single day has passed without the report of the previous day's debates being laid on the Table of the House, by the afternoon. Sometimes the printers have worked till six and seven o'clock in the morning in order to produce the copies to the members at the required time. If this experiment continues to be a success, so much the better. Should the scheme, hereafter, prove a failure, we shall perceive it by the end of the Session, and probably adopt the proper means to remedy whatever faults may appear.

Mr. MACDONNELL (Inverness). You are not now dealing with the manner in which the official reporting has been performed. I admit the work is done most efficiently

Mr. SPEAKER.

and satisfactorily. The question is, what the cost will be? We are having another change, and may expect the expense for this year to be greater than that for the past, owing to the greater efficiency and success which attends the publication of the debates this year; and should the debates of the current year cost \$25,000, the reporting for the present Session will cost more than \$25,000.

Mr. BOWELL. I have just been informed by the Clerk of the Debates Committee that, while the deduction drawn by the hon. gentleman who has just spoken is, on its face, correct, it is really not the fact; that the \$10,000 in the Supplementary Estimates, now asked for, is to recoup the Committee an amount they had to take out of last year's Estimates to pay for the printing and reporting of the debates of the year previous. The Clerk also says that, owing to difficulties with the reporters that year, the full amount had not been paid, and that in order to pay up the amount due after the vote had lapsed, this money was taken out of the appropriation for the reporting of the debates and paid on that account. So that really the printing and reporting has not cost the sum of \$25,000, as would appear from the Supplementary Estimates. The item should have been charged to the account of last year. The sum of \$18,562.50 is the exact sum that he thinks will be required to cover in full the reporting and printing of the Debates for this year.

Sir RICHARD J. CARTWRIGHT. What is the actual cost of the work for 1880?

Mr. BOWELL. The clerk says about \$16,000.

Mr. BLAKE. Under the circumstances, I think, the hon. Finance Minister will have seen the propriety of laying on the Table as soon as possible a statement showing exactly how this item of \$10,000 is made up. If there has been an over draft or an irregular charge, I would like to know how it comes, and also the real expenditure for the three years past.

Sir LEONARD TILLEY. The information will be brought down.

38. Grant to Parliamentary Library ..... \$3,500 00

Mr. MILLS. Why is the grant so small this year?

Sir LEONARD TILLEY. Last year \$7,000 was granted, and subsequently \$3,500, for the purchase of books. It was stated it would require the whole of the \$7,000 to pay up the arrears due by the Committee. We acted in accordance with the suggestion of the Library Committee, to appropriate last year \$3,500, and take it out of the usual vote for this year.

41. Salaries of officers (additional) and contingencies of Library ..... \$5,250 00

Mr. BLAKE. What change has been made in regard to this item?

Sir LEONARD TILLEY. I do not know what has led to the decrease. I think the officers are ranged under an arrangement made last year. There may have been some reduction.

Mr. BLAKE. So far from the estimate of last year being inadequate, there had been a slight error made by the Librarian, and there was a question how the recommendation of the Library Committee should be carried out. Yet we find the estimate is diminished. I do not object to that decrease, but I suppose there has been some change in the staff.

Sir LEONARD TILLEY. The Government made no change. We were very glad to see the reduction and not enquire into it as it was a reduction.

43. Printing, printing paper and bookbinding... \$70,000 00

Mr. ROSS (Middlesex). I asked at the beginning of the Session for information as to the relation in which we stand

toward the Parliamentary Printer. None has yet come down. Last Session the contract was cancelled on the Report of the Printing Committee, yet the printer is still going on with the work at contract rates. I have no objection to that, nor no fault to find with the way in which the work is done. It is well done, though perhaps tardily, not owing, perhaps, so much to the fault of the printer as to the early Session. It is unfair to the Printing Committee that this matter should be in its present form. If the contractor has a valid contract, or if he is doing the work on sufferance, we ought to know it.

Mr. BOWELL. The printing stands as the House left it last Session.

Mr. ROSS. Cancelled.

Mr. BOWELL. I am not aware that it is, nor do I think that the Votes and Proceedings prove it is. To cancel the contract requires the sanction of both Houses. The report of the sub-Committee recommending its cancellation and suggesting a mode of procedure in the future, was by some mistake not made a part of the Committee's report, and the matter dropped. In the other branch, objection was taken to some informality in connection with the report and it was not adopted. This being purely a matter for the House to deal with, the Government took no action on it. With reference to the motion for papers in this connection, there were no papers or correspondence.

Mr. ROSS (Middlesex). The hon. Minister is mistaken. The report of the Committee recommending the cancellation of the contract was the thirteenth report, which was adopted by this House and concurred in by the Senate. This House has, therefore, no contract for the parliamentary printing. If there was no correspondence, the hon. Minister need not have waited so long to inform us of the fact. Suppose the hon. Minister would wish to transfer that work to another printer, what is there to hinder him? Or what is there to prevent the contractor, seeing there is no contract, and as he has done the work, charging regular trade rates instead of contract rates. The hon. Minister should have informed the Committee of the position of matters so that the Committee could take the action they were bound in law to take.

Mr. BOWELL. The hon. gentleman has not been prevented getting information; there was none to give him. If the hon. gentleman, who is a prominent member of the Committee, felt so keenly on this matter, it was his duty to push it to an issue. It was the duty of the Committee to ask from the Clerk all the facts in connection with the matter. The Government have nothing whatever to do, as a Government, with the parliamentary printing. I have told the hon. gentleman there was no correspondence. So far as I was personally concerned I knew nothing about this motion, because my attention was not called to it until the hon. gentleman asked for papers, and then I made immediate enquiry as to whether the Secretary of State had any correspondence connected with the matter. The answer was, "No." The matter is one exclusively with the House; and so it stands to-day. I was very glad to hear the hon. gentleman's remarks—in which I am fully in accord with him—as to the manner in which the printing is done, but I cannot understand what object the hon. gentleman wants to reach by the observations he has made, unless it be to make the suggestion to the Parliamentary Printers that, under their contract, they are at liberty to charge three or four times more than they are receiving. If I understand aright the position in which the matter stands, I do not consider the contract is cancelled. If my recollection serves me aright—and I am open to correction, because I have not looked into it for some time—the other House did not cancel the contract. I know that some difficulty arose. I remember very well that the hon.

member for West Durham (Mr. Blake) took objection to some part of the report or to its adoption, and objection was taken on a point of order by the hon. member for Bothwell (Mr. Mills), whether it was for the purpose of staving it off I do not say, but it had that effect. If the report of the Printing Committee, to which a report of a sub-Committee was attached, had been adopted by this House, then the Government, or the Committee acting under that report, would have been in a position to have taken steps in order to make arrangements for letting the work under another contract, because the suggestion was contained in the report that a certain procedure or a certain scheme should be adopted for advertising for new tenders. That portion of the report never having been adopted by either House, the Government were not in a position to interfere in the matter in any way. I am quite satisfied that if the Government had taken the matter in hand and advertised for tenders, and thus taken the matter out of the hands of the present Parliamentary Printers, who are doing the work at very reasonable rates, one of the first attacks made on the Government would have been that of interfering with a matter which properly belonged to the House.

Mr. BLAKE. I do not propose to interfere in the discussion as to the past, but it seems to me that after what has occurred, it is necessary that a word should be said as to the present position, and what is due to the House itself. The report of the Joint Committee on Printing was this:

"That in view of the facts which have been elicited during the investigation into the circumstances connected with the awarding of a contract to Messrs Maclean, Roger and Company for the printing of Parliament from the 1st of January, 1880, a report, based on the evidence taken in this case, be made for presentation to both Houses of Parliament, to the effect that said contract was obtained through irregular and improper means, and should therefore be cancelled.

"Appended to this report will be found a report of their Sub-Committee, appointed to report as to the best means of preventing in future similar irregularities or improper practices in the tendering for such contracts, and to consider the best method for the performance of the printing in future."

Now, the difficulty that occurred upon that occasion was this: it was made to appear—the Minister of Customs himself stated the fact—that the main Committee had adopted the report of the sub-Committee and ordered it to be made part of their report, and the report which was intended to be submitted to the House.

Mr. BOWELL. That is as I understood it.

Mr. BLAKE. And we all came to understand that that was the true state of the case. Then the matter stood over. Shortly after, in confirmation of that view, the Joint Committee presented a subsequent report in which they made the report of the sub-Committee part of their report. However, that was too late to move the adoption of that sub-Committee's report, but the House did agree to concur in the report of the Printing Committee. This House and the other branch of the Legislature have concurred in the view that the contract in question was obtained by irregular and improper practices; and if that be so it does not become the House to leave the matter in its present shape. Either we must rescind our resolution, that the contract was obtained through irregular and improper means, and should therefore be cancelled; or we should act on our resolution. If the Committee have to take further action it should do so, whether they be steps of action or suggestion. I am not now imputing any blame to the Government, because I think the hon. Minister of Customs has stated very properly that this House would view with considerable jealousy any action of the Executive which might appear to be trenching on the domain of the House in dealing with this matter. Without determining exactly the dividing line that general statement is one which will meet with the approbation of the House; but it is due to the Committee

that the House, having passed such a resolution, should, if it thinks the resolution was improperly passed, rescind it; if it thinks it was properly passed, act upon it. The other branch of the Legislature had the report presented to it, with the report of the sub-Committee, just in the same form in which it was presented to this House. I have not yet found the place in the Minutes to show whether the report was adopted by the Senate or not; but it is enough for my purpose that this House did pass that resolution, and should either act on it or rescind it.

Mr. ROSS (West Middlesex). I may state why I made the motion in respect to the contract for printing. The Printing Committee had no knowledge whether the contract was cancelled or not. We were not in a position to take action until we knew whether the contract was really cancelled or not, or whether the Government had made any fresh arrangement. I made the motion in order that we might possess information on which we could act subsequently. The failure of the Government to bring down an answer to my request was one of the reasons why the Committee had not better cognizance of the matter at an earlier day. When I began to despair of obtaining information from the Government, I moved in the Printing Committee that the Chairman be instructed to ascertain in what relations we stood in regard to the contract for printing. That motion was early in February. There has been no meeting of the Committee since until to-day, and to-day we got the information that the Parliamentary Printer was doing the work the same as before.

Mr. BOWELL. That information was given by myself at the first meeting of the Committee after the opening of the Session.

Mr. ROSS. The hon. gentleman must be mistaken.

Mr. BOWELL. I am positive, because the hon. gentleman put the question as to how the printing was being done, and I made the statement as distinctly as it was made to-day. The hon. member for West Middlesex (Mr. Ross) suggested that the Clerk should prepare a synopsis of the whole proceedings, which has been put in my hands at the present moment.

Mr. ROSS. Admitting that the hon. Minister gave the explanation which he mentions, he did not explain the relations in which we stood to the contractor. The instructions of the Committee to the Chairman were to ascertain in what relations we stood in regard to the contractors. It was of very little value to know that the printing contractors, with the consent of the Government, were doing the work on the same terms as before. Whether a *bond fide* contract existed between the Parliamentary Printers and the Printing Committee we did not know until informed in reference to the matter to-day. The opinion of the leader of the Government, last Session, was in accord with the observations made by the leader of the Opposition and myself, that the adoption of the report of the Printing Committee would have cancelled the contract. Now, the impression left upon the House last Session when the report was adopted was, that the contract with the Parliamentary Printers was cancelled, and the hon. gentleman's attempt now to make it appear that it was not cancelled is something I cannot understand. So far as the Printing Committee is concerned, I think they are entirely without blame in the matter, for, after having made their report, it was the duty of the Government to have informed us that the contract with the printers had been cancelled, and then we would have taken action in the proper way, but without that information such action would have been entirely gratuitous and beyond our jurisdiction.

Mr. LANGEVIN. I cannot quite understand the logic of the hon. gentleman. The Printing Committee recom-

Mr. BLAKE.

mended in their report that the contract be cancelled, and the House taking the facts into consideration, passed the resolution which has been referred to by the hon. member for West Durham (Mr. Blake) cancelling the contract. The Committee had no right to consult the Government or ask our consent in the matter. The hon. gentleman says it was the duty of the Government to have informed the Committee of something which was upon the Journals, and which the Committee ought to have known themselves, the same as any other member of the House. In fact it was not within the province of the Government to have acted as the hon. gentleman suggested; but, on the contrary, it was the special right and privilege of the House to manage the matter. It was the duty of the hon. gentleman and his colleagues to consult the Journals of the House, and take action in the matter; but he wishes to throw the entire responsibility upon the Government, who had nothing more to do with it than other members of the House.

Mr. BLAKE. The hon. gentleman misunderstood me, if he understood me to express an opinion that the contract was cancelled by this passage of the resolutions. It may be so; but for the moment I am not equal to saying that the actual cancellation could be effected by the passage of the resolutions. It certainly was the opinion of both Houses of Parliament that the contract should be cancelled, but owing to the delay in executing that opinion and the subsequent transactions which have taken place, my suggestion would be that the Government had better take advice as to the proper mode of carrying out this conclusion. My own opinion is that the safer mode of carrying out this conclusion would be by Act of Parliament. The hon. gentleman is correct in one sense in saying that there is no more peculiar responsibility attaching to the Government in this matter than upon other members, but we must also remember that this Committee, like others, is in charge of the Government, that the hon. member for West Middlesex is one of a minority on the Committee, and that, therefore, the responsibility does not fall upon him in any peculiar way. On the contrary the Committee is controlled by the Government, it is very properly framed by the Government with a majority of Ministerialists, and its Chairman is usually a Ministerialist. On the other hand, I think the Committee have been somewhat negligent of their duty in not taking action upon the matter at an earlier period.

Mr. BOWELL. While the Ministry have a majority on the Committee, it does not always follow that the Chairman of the Committee is a Ministerial supporter, for at the present time a member of the Opposition presides over that Committee.

Mr. BLAKE. A member of the other House.

Mr. BOWELL. I also remember that at one time when I was a member of that Committee the Chairman was the hon. member for Lambton (Mr. Mackenzie), and that was when my right hon. friend (Sir John A. Macdonald) was in power and leader of the Government. The work of the Committee has, on the whole, I think, been conducted with as little regard to political feeling as possible. I did not understand the Minister of Public Works to rest any special blame upon the hon. member for West Middlesex (Mr. Ross), in the matter, but that from the position he took he has no right to assume or lay it down as a principle that this Government should take action in the matter. I am glad to hear the hon. member for West Durham confirm my idea that the resolutions of the House do not involve the cancellation of the contract. But at the same time I think the hon. gentleman is as much to blame as any other member of the House for the failure of any action on the report, because he objected to the reception of the report of the sub-Committee, because it was attached to the report of the Committee, and did not form a

part of it. If this report of the sub-Committee had been adopted it would have involved the advertising for new tenders.

Mr. BLAKE. The hon. gentleman has a little misreclected. On the thirteenth report being presented, the fact was elicited that the Committee on Printing had adopted the report of the sub-Committee, and that its deliverance, intended to be made to this House, was to request the House to adopt the report, to make it part of this report and to adopt the whole. My objection was that the Chairman of the Committee on Printing had, through inadvertence, not carried out the directions of that Committee, because, instead of presenting the report which made the report of the sub-Committee part of its own, and which, in consequence of its being approved by them, committed the House to the whole report of the sub-Committee, he had simply presented a report on concurrence which would not involve assent to the propositions of the sub-Committee at all. The House did ultimately concur in the thirteenth report as it was presented, but in consequence of its being inadvertently prepared, and in a manner which did not meet the sanction of the House, the machinery for action was not there. The hon. gentleman says I am to blame for that.

Mr. BOWELL. The Clerk of the Committee who prepared the report had not the slightest idea, in attaching the sub-Committee's report to the main report, that it would not form part of the report; that in fact, having always prepared his reports in that way, he supposed it was part of the report. My hon. friend will remember distinctly that it was he who took objection.

Mr. ROSS. No; it was the Right Hon. Sir John A. Macdonald. Here is the discussion that took place:—

"Mr. STEPHENSON moved that the thirteenth report of the Joint Committee of both Houses be now concurred in.

Mr. BLAKE. Is it intended that this motion include the adoption of the report of the sub-Committee?

Sir JOHN A. MACDONALD. No; the report of the sub-Committee is merely appended for the information of the House.

Mr. ROSS (West Middlesex). The report of the sub-Committee is a part of the report of the Committee, by which it was regularly adopted.

Sir JOHN A. MACDONALD. The hon. gentleman does not read the report as I read it.

Mr. ROSS. The right hon. gentleman will find the words appended to the report: 'All of which is respectfully submitted for the consideration of both Houses.'

Sir JOHN A. MACDONALD. You submit it, but you do not approve of it.

Mr. ROSS. I know the report of the sub-Committee was adopted.

Mr. BLAKE. It would appear that the Committee has imperfectly performed its work. They have only given a partial answer as to the point of cancellation."

When Sir John A. Macdonald proposed that the report of the Committee, without the report of the sub-Committee, be adopted, Mr. Blake said:

"In order to give the hon. Chairman of the Committee on Printing an opportunity to call his Committee together, and remedy the existing defect, I rise to a point of order. It is necessary that two days' notice should be given before the adoption of the report.

Sir JOHN A. MACDONALD. I object to this; the hon. gentleman has spoken twice or thrice to the motion.

Mr. BLAKE. I have not.

Sir JOHN A. MACDONALD. The question before us was the adoption of the report. It is quite clear that the hon. gentleman is out of order altogether. He cannot, in any way, make the objection in regard to want of notice."

So that the objection to making the sub-Committee's report a part of the report of the Committee came from the leader of the Government, and it was only on account of that objection that the report was not adopted in its entirety, which would have enabled the Committee to proceed as they intended to do and advertise for new tenders. And it is through the action of the Government this year that we were refused such information as would enable us to move early in the Session. The hon. Minister of Public Works seemed to point his remark to me in defending the Govern-

ment with regard to this matter. He asked, why did the Printing Committee take cognizance of improper practices in connection with the printing contract at all? My answer to that is, we were instructed by the House to do so. A motion was passed early in the Session instructing the Printing Committee to investigate the circumstances under which the contract was let. We made the investigation, and the report which has been referred to. The hon. Minister of Customs is a member of that Committee, and he is charged with as much responsibility on that Committee as any other member. The hon. member for Kent (Mr. Stephenson) is Chairman of that Committee, and, therefore, I think the hon. Minister of Public Works might direct some of his censures to those hon. gentlemen.

Mr. MACDONNELL. While on this subject, I wish to call the attention of the Government to the propriety of making a change in our manner of referring to the Statutes. At present our mode is to refer them as passed in such a year of Her Majesty's reign. Now this is very inconvenient. I question very much if one-half the members of this House know the year in which Her Majesty ascended the throne. People very often have to refer to the almanac for that. It would be very much more convenient to refer to a Statute as passed in such a year of our Lord instead of in such a year of Her Majesty's reign.

Mr. STEPHENSON. I wish to say a word or two on the report of the Printing Committee. Early in the Session this contract was brought before that Committee. The hon. Minister of Customs has correctly stated that it was then distinctly understood that the contract stood in the very same condition as it did last year. The recommendation was from the Committee to the House, but before the House rose another report was made, which I find in the Journals as follows:—

"Mr. Stephenson, from the Joint Committee of both Houses on the Printing of Parliament, presented the sixteenth Report of the said Committee, which is as follows:—

*Resolved*, That as the report of the sub-Committee appended to the thirteenth report of this Committee, was omitted from the said thirteenth report, it is hereby

*Ordered*, That the said report of the sub-Committee be submitted to both Houses of Parliament, as a portion of the said thirteenth report of this Committee."

That report was adopted by this House, but as it was objected to by the Hon. Mr. Scott in the Senate, and did not pass there, the contract stood in the very same position as it did the year before. Since the matter has been mooted, I have endeavored to gather all the information I could, as to how it stands in a legal point of view. I have two opinions of leading lawyers, which agree in substance with the remarks which have been made by the hon. member for West Durham, namely, that any action of this House will be null and void, in so far as the contract is concerned, unless it is incorporated in a Bill.

Mr. MILLS. I concur in the suggestion of the hon. member for Inverness (Mr. MacDonnell), that it would be a great convenience to designate a Statute as passed in a year of our Lord, instead of in a year of Her Majesty's reign. There is no doubt whatever, especially in talking of Statutes extending over many reigns, as is the case with English and Canadian laws, it would be much more convenient to adopt the suggestion from the hon. member for Inverness.

Sir LEONARD TILLEY. It is quite natural some reference should be made to this subject at the present time. I have no doubt many members of this House are surprised that we have no report from the Printing Committee, considering what took place at the close of last Session. I am satisfied that the attention which has been called to the subject by the hon. member for Middlesex will have the desired effect. It is absolutely necessary in my judgment

that this matter should be dealt with before Parliament prorogues.

Mr. ROSS (West Middlesex). If the Government hold that the contract must be cancelled by a Bill, then it must be for the Minister of Justice to prepare a Bill. The Minister of Justice being acquainted with the action of the House, could have brought his Bill in this Session.

46. Miscellaneous Printing..... \$2,000 00

Mr. ROSS (West Middlesex). This item seems to me to be a little out of place. Under the head of miscellaneous there is another item of \$10,000 for printing; and we have already voted \$70,000 for printing under the head of Legislation. Might it not be put under one head? For many years past a practice has prevailed of going outside of the regular contractors for the printing of the departmental reports. In the case of confidential printing that might be done for the sake of secrecy, but such a document as the report of the Chief Engineer of Canals, which cost us over \$4,000 at confidential rates, might have been done by the regular contractors for \$1,500 or \$1,600. I think the Public Accounts of last year will show that about \$12,000 was expended for printing at confidential rates outside of the regular contractors, which might have been done by the regular contractors for \$5,000 or \$6,000. With regular contractors who take the work at low rates, expecting to make a profit on a large quantity of work, I think we might save this money by giving them the work, if it is possible to do so. I do not bring this matter up to censure the Government, because I believe the same practice has prevailed for many years under all Governments alike; but their attention having been called to it, I trust they will see whether the work cannot be given to the regular contractors.

Mr. BLAKE. I would not say for the world where, for it would not be proper, but I heard the Queen's Printer solemnly declare that printing, when not done by the public contractors, was by him certified at confidential rates, which are about double the ordinary contract rates; and he stated that the reason he certified it at confidential rates was not because it was confidential printing, but because the object sought by these outside printers would not be accomplished unless these rates were paid, which object was to bring something good to the friends of the Government. As the hon. member for West Middlesex (Mr. Ross) said, this practice has prevailed under all Governments, and therefore this Government is not specially to blame; but, I confess, was innocent enough not to have known it. It amounts, I believe, to something like \$12,000; that is, \$12,000 has been paid for \$6,000 worth of work—work, which under our contract, and according to the law, would have been done for \$6,000. What has become of the other \$6,000? It has been given away to the friends of the Government. This is a bad practice which has been pursued under all Governments, but this model Government should cause it to cease. We have departmental contractors, and we have a law which says that all the printing shall be given to them, and I think that should be done, unless under circumstances which show that there is some special occasion for going outside; but it ought to be an occasion arising out of the needs of the public service and not out of the needs of the friends of the Government.

Mr. LANGEVIN. I am glad to see the hon. gentleman come out in a new role. It is always time to do better; but if the hon. gentleman refers to the Estimates for previous years, he will find that this vote of \$2,000 for miscellaneous printing was taken during the five years that his friends were in power. The hon. member for Middlesex (Mr. Ross) during those five years did not discover the discrepancy he now points out. I am informed that this sum

Sir LEONARD TILLEY,

is for the purpose of meeting such expenses as the printing of the Estimates. Under the *regime* of hon. gentlemen opposite, the vote for printing, under the head of miscellaneous, was taken also. It is also for the printing of documents of a confidential character—documents for instance, which the Privy Council have to consider, and which are printed in order to expedite the public business. The printers of Parliament may be very good men, but they may not be men in whom the Government have confidence, and therefore it may be necessary to go elsewhere. Of course, I do not speak of the present contractors; I speak generally. Looking at the matter on broad grounds, the Government must be in a position to give confidential printing to printers in whom they have confidence; and the cost paid therefor will vary according to the necessities of the public service, the amount being in some years \$3,000 or \$4,000, and in other years \$8,000 or \$10,000.

Mr. BLAKE. The hon. gentleman misunderstood me if he thought I objected to the vote for miscellaneous printing. I did not object to that vote at all. I believe as a rule that the printers, whatever their political opinions, with whom contracts might be entered into for the performance of this work, would discharge their duty honestly and honorably. I do not believe that the Government need be under any apprehension whatever that those entrusted with confidential printing would violate the confidence reposed in them; but that is a question of minor consequence, because the amount of confidential printing is not much. The hon. Minister of Public Works does not, however, suppose that the report of the Chief Engineer of Railways and Canals is confidential printing. He cannot suppose there is anything confidential in it; yet the work was given out last year at confidential rates to some friends of the Government. That is the abuse of which we are speaking, and with respect to which the hon. member for West Middlesex (Mr. Ross) properly said, and I repeat it, that it was not an abuse of which this Government alone was responsible, but one of which other Governments had also been guilty. The Queen's Printer said that abundance of printing was given out that was not in its nature at all confidential, and for which confidential rates were charged, the idea being that it was necessary for all Governments to give something to their friends, and that object would not be attained if they were allowed contract rates. The report of the Chief Engineer of Railways and Canals, instead of costing \$2,000, cost \$4,000. The excuse that it is necessary that confidential matter should be given to a printer in the confidence of the Government, is an excuse that will not answer. Such action has been taken in times past by both Governments, and has resulted in a loss to the country that is not desirable. It should be understood that this loss will not recur.

Sir LEONARD TILLEY. Reference has been made by my colleague to the Estimates, and I think he was under the impression that they were sent to confidential printers. The Estimates for the last two years have been printed by the contractors. I wish, however, to point out a matter in reference to the communication made by the Queen's Printer. That officer stated that the action respecting confidential printing had not been taken for the first time by the present Government; but the hon. gentleman should have gone further when making extracts, and read the portion in which the Queen's Printer stated that a member of the late Government and head of a department had fixed the rate of charge, and he had to some extent inaugurated those prices.

Mr. BLAKE. Inquiry was made as to one particular class of pamphlets and a rate was fixed for printing them, a lower rate than confidential rates. So if there was any charge fixed it was in the nature of a reduction not of an increase on charges which existed, and it applied to only one particular department.

Mr. McDONALD (Pictou). I agree that it is desirable that all abuses should be reformed. I think it is most desirable that an abuse like this should be discovered by the hon. gentleman and brought to the notice of the country; but at the same time if we exert ourselves in the search for abuses that have existed so long, what will the hon. gentleman have to do by-and-bye when he is called on to discharge the functions of Government. The hon. gentleman was hardly fair in his remarks respecting confidential printing. That class of printing is deemed necessary both in England and here, and it cannot be done in the regular way at ordinary rates.

Mr. BLAKE. I was not objecting to confidential printing being paid at high rates. I think it should be.

Mr. McDONALD. The second-class of printing, which is given as a little patronage, is a class which had always been dealt with in the same manner as at present, and perhaps it was worthy the consideration of the House. It was a very considerable item because the present contractors have already made a claim for over \$200,000 for losses sustained by them through my hon. friend and his friends, during the five years of the late Administration, having withdrawn work from them which they claimed they were entitled to under their contract. There is no price allowed for confidential printing, therefore it was never intended they should do that kind of work; but outside of that, they claim that contract work was withdrawn from them and given the friends of the late Government, and on that account they claim heavy damages.

Mr. BLAKE. Is it possible that with these shocking results before them, the Government have, year after year, been giving out their work to those gentlemen?

Mr. McDONALD (Pictou). No; there is nothing that they can properly claim under the headings of their contract for confidential work.

Mr. CAMERON (Huron). The hon. member is entirely mistaken. If he will look over the Public Accounts he will find sums aggregating to nearly \$12,000, which, I apprehend, from the turn this discussion has taken, must have been done at the rate of confidential printing. Under the head of Geological Survey, there is printing the report, \$2,836, in the office of a newspaper controlled and managed by a prominent member of this House. Was that done on "confidential" terms? Under the head of Public Works, the same office printed reports of speeches, delivered in this House, to the amount of \$475. That was the same office owned and controlled by a prominent member of this House.

Some hon. MEMBERS. Name the office.

Mr. CAMERON (Huron). The *Montreal Gazette*. Under the head of Dominion lands, \$1,565 was paid for printing; so that, in all, that office must have got \$7,000 or \$8,000 for printing. Under the head of Public Works and Railways, for publishing the Chief Engineer's report, \$1,250 was paid to a newspaper published in Ottawa. Under the head of Immigration, a further amount was paid, and the whole swells to something like \$12,000—all, I apprehend, under the terms upon which confidential printing is done. Is that so?

Mr. McDONALD (Pictou). I admitted the work was done, and done outside. The point I was making was, that if the work was done outside, we were not liable to be called upon hereafter by the contractor to be reimbursed for losses sustained by him, because the Government took care that such work should not be considered a breach of contract by the public contractor, and any rates paid outside should be audited by the Queen's Printer.

Mr. ROSS (Middlesex). The Queen's Printer always audited the accounts brought down for work done outside,

and the audit was made on the basis referred to by the hon. Finance Minister, 40 cents, I think, for composition, and 25 cents per token for press work. That was the rule applied to the confidential work done in the *Citizen* office, Ottawa. The Chief Engineer's report printed there was paid for at the rate of 50 cents for composition, and 50 cents for press work, 25 per cent. advance for the former, and 100 per cent. for the latter, over and above what was agreed to years ago as a confidential rate. If the confidential rate is adopted, let it be applied to all works alike. There can be no objection to the Government doing certain work at confidential rates. I do not understand that the Report of the Chief Engineer of Canals can be a confidential report. Another peculiarity is that the report appears in the Public Accounts under two different heads. The first division appears as \$1,250, on page 216, and the next, \$1,250 on page 216, making it appear as two separate items, designed, no doubt, to have it put through in the quietest way possible. The report was paid for at rates higher than confidential rates, and 150 per cent. higher than the contractors' rates. If it is the business of the contractors to print the report of any department, it is their business to print the report of the Chief Engineer of Railways and Canals. I can see no object that the Government could have had in giving that work to the *Citizen* office, or to any parties outside the contractors other than that pointed out in another place, namely, to give some little assistance to their political friends. It is no answer to the objection, that the practice existed before, or that a petition of right was presented to the Government for \$200,000 for work done elsewhere, but which the parliamentary contractors claim should have been done by themselves. That petition may be true or untrue. Certainly the contractors have not pushed it further than its presentation. But, even if that system existed as well as the liability of the Government in the matter, I think it is the duty of the Government, in the interest of the country, to put a stop to the practice. I did not call the attention of the Ministry to it with a view to find fault, but simply in the interest of the country, and to put a stop to an expenditure which is unfair to the contractors and the public, and which, if followed for political reasons, is a very injudicious and dangerous practice indeed.

Mr. BOWELL. It is quite amusing to witness the virtuous indignation of hon. gentlemen in Opposition, when the question of giving printing to political friends comes up, particularly when we remember the amount of money squandered by them in this way during the years they held power. I do not know that there was any hon. member louder and more vehement in his defence of the action of his leader, when in office, on the occasion of similar charges, than the hon. gentleman, even when that leader once declared he should act as he thought proper on all occasions, and give the printing to whom he thought best in the interests of the country. In reference to the report of the Chief Engineer, I think he will remember that the present Minister of Railways explained, during the last sitting of Parliament, that the reason he gave it to others to print it themselves in good time. In reference to the Geological Report, I am not aware that it has ever been printed by the parliamentary contractors. I think it was always printed in Montreal, where the staff of the Geological Museum reside, because it can be more cheaply got out under their supervision than in Ottawa. I am not, however, on the matter of principle, prepared to say there is not a good deal of force in the remarks respecting the propriety of the general work being done by the Parliamentary Printers. An exception might be made in the case of certain work, including confidential printing. The Minister of Agriculture might have gone beyond the contractors, in giving out

work that did not come within the purview of the agreement—the Report of the Tenant Farmers and Delegates who visited Canada—but he sent it to MacLean, Roger & Co., at the regular parliamentary rates.

Mr. TROW. How many copies were printed in England?

Mr. BOWELL. Is there any particular objection to that—is that a violation of the parliamentary contract?

Mr. ROSS. The hon. gentleman is taking credit for having that printing done by the parliamentary contractors, when 200,000 copies of the report were printed in England.

An hon. MEMBER. At what price?

Mr. ROSS. Four cents a copy.

Mr. BOWELL. Well, it cost four cents in England and eight cents in Canada. The member for West Durham is particularly indignant that the Government should spend money on their political friends for this printing. But the Parliamentary Printers petitioned for a bill of right to enter an action for \$250,000 against the Government, for printing given to other parties. I have a copy of every item in which they prefer claims, and to a very great extent the work legitimately belonged to them under their contract; and yet the member for West Middlesex was a member or supporter of the Government that gave this \$250,000 worth of printing to their political friends. If we squandered \$6,000 by giving \$12,000 worth of printing to our political friends, on the principle for which the hon. gentleman contends, the late Government must have squandered \$125,000 in giving \$250,000 worth to their friends. With regard to the item of \$2,000 under discussion, the Clerk of the Printing Committee informs the Minister of Public Works that he obtained the information from the Auditor General that the item was used in some manner in regard to the preparation of the Estimates to which he referred. I know this printing was done by the Parliamentary Printers.

Mr. MILLS. I think that the printing of the Geological report was done by the public printers in Ottawa only one year. Then so much complaint was made by Mr. Selwyn, of the inaccuracies, and the difficulty of getting the proofs properly read here, that the old practice of printing it in Montreal was resorted to, as in that city the corrections could be made under the immediate supervision of the officers of that branch. But at present, I understand the geological staff are to be transferred from Montreal to Ottawa; and the former reason for printing the report at Montreal, instead of having it printed by the parliamentary contractors, like all other public documents, no longer exists.

Sir LEONARD TILLEY. They are not removed yet.

Mr. MILLS. I understand they are to be moved immediately.

Sir LEONARD TILLEY. Yes.

Mr. MILLS. This appropriation is one for next year. The reason for doing the printing at Montreal will no longer exist, and therefore ought to be here the same as other public documents and papers. The Minister of Customs says that \$250,000 of printing was improperly done by persons other than the contractors under the late Government, but it would puzzle the hon. gentleman to find one-fifth of that sum. I should like to know where he finds it?

An hon. MEMBER. Supposing the petition had made it \$1,000,000?

Mr. BOWELL. Each item is given in the document laid before Parliament.

Mr. MILLS. The hon. gentleman need not have recourse to that or any other document, but the Public Accounts, which show that the sum is not one-fourth of what he states.

Mr. BOWELL.

Mr. BOWELL. How much printing was done by the St. John *Freeman* and the *Halifax Citizen*? The hon. gentlemen will find it runs to \$50,000 or \$60,000.

Mr. MILLS. The hon. gentleman knows that the printing done by these papers had been done by them ever since Confederation, and it continued to be done by them under the late Administration.

Mr. BOWELL. No.

Mr. MILLS. I say yes; and it is a statement capable of absolute demonstration notwithstanding the hon. gentleman's denial. The question at present is not simply what papers in the interests, of the contractors or according to the contract, should be printed by them, but what documents or papers ought, in the interests of the House and the country, to be printed by the public contractors. It is to the interest of the country that as much of the printing as possible—whether you call it parliamentary printing or by any other name—should be done as efficiently and as cheaply as possible. We know that there are certain classes of printing, such as drafts of Government measures, in charge of particular Ministers, or drafts of the estimates of particular departments, which have to be submitted to Council, and should not, therefore, in the public interest run the risk of becoming public in their immature state, that may fairly be regarded as confidential printing. The Government is very properly entrusted with a certain amount of discretion with regard to such printing; but that discretion should not be exercised with regard to any printing which is not in its nature confidential, and it is a discretion which ought not to be abused. With regard to the documents to which my hon. friends, the member for West Durham (Mr. Blake) and the member for West Middlesex (Mr. Ross) have referred, a wholly different rule applies; for to treat the reports of the Department of Agriculture, or the reports of the Engineers of the Department of Public Works or the Department of Railways as confidential printing is to abuse the discretion entrusted the Government. They have no right to give such printing to outside parties and to have it charged at private rates. The hon. Minister of Agriculture says he got 200,000 pamphlets printed in England at four cents each, but whether those pamphlets are of the same size as those which are printed here for eight cents we are not informed. I do not object to his getting the printing done outside, if he can get it done on more advantageous terms; but that principle is certainly one directly contrary to the policy of the Government, that it is better to get work done at home than abroad, even if it costs twice as much; and that we should by every means in our power encourage local industries and guard them from outside competition. I can understand the action of the hon. Minister of Agriculture from the stand point of this side of the House, but it certainly does not agree with the policy promulgated from the Government benches.

Mr. GAULT. As the name of the *Montreal Gazette* has been mentioned in connection with this printing, I wish to say, distinctly, that the hon. member for Cardwell (Mr. White) who is absent to-night, is not connected with that paper in any way—even as a shareholder.

Mr. MILLS. I understand that he is conducting it regularly—contributing to its columns every day.

Mr. GAULT. He is not a proprietor or even a part proprietor. I say this in justice to the hon. gentleman who is not here to defend himself.

55. New Militia pensions..... \$5,063 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. CARON. The pension of \$50 granted to T. Robinson is made under the following circumstances: This man was a volunteer, and while upon active service his arm was

blown off by the discharge of a gun. He was subsequently taken into one of the departments as messenger, and after being there for sometime he applied for a pension which is provided for by this item. As messenger he was getting \$400 a year, but he is no longer a messenger.

Mr. MILLS. Is not this the Robinson who, on the 1st July, 1877, when practising on Cartier Square, in this city, had his hands blown off by loading a cannon—not in active service, but when the militia were practising? I remember a case of that kind, and after the man had been in hospital for a time, Mr. Jones placed him in the Militia Department. Was he put out from his position as messenger and pensioned off with \$50 a year, contrary to the provisions of the law?

Mr. CARON. I think it was on Cartier Square the accident occurred. When I stated he was on active service I meant that he was on ordinary drill which he was required to perform as a volunteer, acting under the orders of his superior officer. While performing that drill he was maimed for life, and a short time afterward he was taken into a department as messenger, from which he was subsequently discharged.

Mr. MILLS. Why?

Mr. CARON. I could not say, for it took place previous to my incumbency. I think, as he was serving his country in that manner, obeying the orders of his commanding officer, he was entitled to some consideration from the Government, and he was granted this small pension of \$50 a year. He is a man with a large family, and is in straitened circumstances.

Mr. PATERSON (South Brant). On two or three different occasions I have pressed upon the predecessors of the hon. Minister of Militia the claim of a man who, under precisely similar circumstances, lost his arm, and I was told that nothing could be done for him. I now ask the Minister of Militia if this is a precedent, and if I may press the claim of this man within a day or two?

Mr. CARON. I might be prevented from granting this request on account of the action of my predecessors in refusing it, but if nothing interferes I will be very happy to take it into my most earnest consideration.

Mr. BLAKE. If my hon. friend from South Brant will manage that his unfortunate client shall be put into a position the duties of which he can perform, notwithstanding his misfortune, and then being in straitened circumstances he shall be wantonly dismissed from the office, then my hon. friend may make a claim for a pension.

Mr. MILLS. I think the hon. Minister has mistaken the circumstances. I was in the city at the time, and saw Mr. Robinson when he was carried into the House. The volunteers were out voluntarily, not called out, nor were they serving under the law. The case was considered by the Minister of Militia at the time; it was thought not to fall within the provisions of the law under which pensions could be granted, and therefore no pension was given him. As soon as Robinson was able to be out, the Minister appointed him as messenger. Now, he might discharge the duty of a messenger quite as well with one hand as with two, and the salary he would receive would go some way towards the maintenance of himself and family. But, if he has been dismissed from that position by some predecessor of the hon. gentleman and some one put in his place who could discharge the work no better, it looks as if Mr. Robinson was discharged to make a place for some needy political friend of the Government, and that Mr. Robinson is sent as a pauper to this House. It does seem to me a very improper proceeding—I may go further, and say it is rather an inhuman proceeding. It is perfectly obvious that Mr. Robinson, with one hand off and the other maimed, will be

in no position to earn his own living, and \$50 a year will go a small way towards it; whereas, as a messenger, he might be as useful to the public as any other man with all his limbs sound. I think that unless the hon. gentleman can show that Robinson has been dismissed for sufficient cause by his predecessor, it is not proper that he should come here and ask a pension for a man who was fairly dealt with by his predecessor in office.

Mr. BOWELL. If the hon. gentleman knew all the facts connected with the removal of this man from his position as messenger, and his total inability to perform the duties even of that position, he would not display so much sympathy for him. His whole speech has been predicated on the assumption that this man was improperly dismissed. The hon. member for West Durham went so far as to intimate that he was dismissed for a political purpose. If hon. gentlemen were acquainted with the facts connected with the removal of this man Robinson from the position of messenger, which was done under the administration of the office by Sir Alexander Campbell, they would not raise one word of objection to the course pursued. The point whether he was entitled to his pension may be raised; and although he was not on actual service under the Queen's regulations, still, if he was performing the regular drill, and, from no fault of his own, met with an accident, I think this House will agree that the Minister who recommended that small pension did nothing more than what was right. And if the hon. member for South Brant (Mr. Paterson) shows that the volunteer officer he mentioned met with an accident in the exercise of his duties as such, I am quite convinced my hon. colleague, the Minister of Militia, has sufficient sense of justice to recommend him to be put on the list. I believe that in all cases where volunteers meet with accidents of that kind, they should receive our consideration. If there is a class of men who deserve the consideration of their country, it is the men who devote themselves to the volunteer service of this country or the regular service of the old country.

Mr. CARON. This Robinson has never been replaced in the position he occupied as messenger, and consequently, in giving him this pension instead of his former salary, the Government have effected a saving.

Sir RICHARD J. CARTWRIGHT. The Estimates provide for the same number of messengers as there were last year.

Mr. CARON. No; there is one less.

Sir RICHARD J. CARTWRIGHT. Not apparently.

56. Pensions to veterans of war of 1812 ..... \$25,000 00

Mr. RYMAL. How many of the veterans who have been drawing their pensions are still living? Will the \$30,000 granted last year give them \$20 a piece. In the county of Halton I think the number has dwindled down from about forty to four or five.

Mr. CARON. Of course the number of veterans who were receiving pensions last year has decreased, though I cannot say exactly to what extent. The question whether the pensions which were applied to those who died can be distributed among those who are living, is still under the consideration of the Government.

Mr. SCRIVER. If you keep it much longer under consideration it will not be of much use, for they will all be dead.

Mr. CARON. Yes; if we keep it too long, but we do not mean to do so. It was brought under my notice after I came into the department, and I need not say that of all classes, the veterans who are receiving these pensions are the class I should like to help. I shall be glad if the pensions left by those who have departed can be distributed amongst those who are living, and, if possible, I shall endeavor to have that done.

Mr. MILLS. Have you fixed a maximum sum ?

Mr. CARON. It is impossible to fix a maximum sum. Whatever balance remained in the hands of the Government could be re-distributed amongst those living.

Mr. McLENNAN. I hope my hon. friend, the War Minister, will be able to give a more definite assurance to the House. When the money was first appropriated it was the generous intention of Parliament to give each man \$50. But it turned out that the amount was not sufficient for the number alive. Time has, however, cured that difficulty, and I have reason to believe that to-day the number is very much reduced. When it is reflected that men who served in the war of 1812 must be over 80 years of age, this is no great wonder. Many of them are poor men, and I have really been ashamed to meet, in my own constituency, men verging on ninety years of age who fought for their country, receiving such a pittance in acknowledgment of their services. I believe the services of the active militia to-day becomes very pale indeed when compared with those of the veterans who stood in the field of battle, and who, many of them, suffered personal injury in the defence of their country. It is gratifying to know that the Government is prepared to make a larger appropriation than they ever have made for the very small remnant of those men who fought and suffered for their country.

Mr. SCRIVER. I was very glad to hear the remarks that have fallen from the hon. Minister of Militia in reference to this matter. When the amount was first voted to the veterans of 1812, the intention was to give them \$50 a year each, but it was ascertained that a much larger number were living than was supposed. As the number decreased, the amount appropriated was lessened. It was a great fault on the part of the late Administration to have reduced the amount on the decease of a number of these veterans. I would be very glad to see the original design carried out now.

Mr. McCUAIG. For the last two years I have called attention of the House to the position of these meritorious men. As age increases they become more infirm. Several of them in my county are bedridden, depending entirely on their children and grand-children for support, and their families, in many cases, are in very poor circumstances. I hope the hon. Minister of Militia, French-Canadian as he is, will not only remember those men who are still living, but will remember the widows of those veterans who have passed away, and see that they get from a grateful country their proportion of the \$50 about to be given to the veterans still living and which I am sure will be voted by this Parliament with cheerfulness and pleasure.

Mr. BOWELL. \$30,000 was voted last year, and \$30,560 expended. The estimate this year is \$25,000, based on the decrease in numbers. Should the \$25,000 be more than is required to meet a payment of \$20 each, the balance might be distributed equally among the survivors. Great difficulty is found in distributing the money, owing to the impossibility almost of obtaining correct information until the time arrives for paying the pensions. I know in my county, when I was written to by the late Government for information, I found great difficulty in ascertaining the exact numbers for months after the appropriation was made.

Mr. IVES. I am glad to observe the altered tone of the hon. Minister and the House with respect to this account. In the first Session of this Parliament I had the honor to bring this matter before the House in a motion for a return of the number of persons receiving pensions under this provision. I strongly urged that the \$50 which was originally intended to be given, should be given even though it took a larger amount than had been appropriated by the Government. I was surprised to receive the answer that the Government

Mr. CARON.

had never had the intention of giving \$50 or anything else. Last Session I urged the amount should be increased. The answer I got from the hon. gentleman acting then as Minister of Militia, almost led me to apologize that those old men had not all died before the introduction of the appropriation. The hon. gentleman said, in substance, that it was hoped it would not be necessary much longer to continue the payments. I hope the hon. Minister of Militia will at least distribute the whole sum voted this year.

Mr. MASSON. I never said I hoped we would not have to pay this amount for a long time. I said we would be very willing to pay it for many years to come. It is the best indication of the salubrity of our climate, that the 1,200 veterans of 1812 should still be living. We must remember a Government is but the reflex of public opinion. I could not give a different opinion than what I thought was then the opinion of the country. It was well known that under the previous Administration it was the settled policy of the country that \$20 a year should be paid. If the Government is but the reflex of public opinion, and that opinion wishes the amount to be increased, any measure in that direction will have no better supporter than I.

Mr. McCUAIG. Those old men are entitled to the consideration of Parliament. Ten men in Quebec, who occupied a public position in the service of the country, received \$29,666 as pensions, and two others, it is true, occupying a high position, \$9,999. I say those veterans have a good claim, and action upon which should be no longer delayed. I hope their pensions will be increased at least \$30 a year.

97. Departmental Buildings, Western Block extension. \$5,000 00

Sir RICHARD J. CARTWRIGHT. What is the object of this item? Does it settle everything?

Mr. LANGEVIN. The object is to complete the Western Block, including the heating apparatus. We have settled with the contractor, but there is a small balance remaining. The item will cover everything.

98. Addition to Conservatory in Public Grounds. \$1,350 00

Sir RICHARD J. CARTWRIGHT. I have no objection to this trifling item *per se*, but it is precisely one of those small items that should be charged to income and not to capital account. Items charged to income will naturally be more carefully looked after.

Mr. ANGLIN. I question the propriety of this item seriously. It is entirely for the benefit or amusement of the people of Ottawa. Was the conservatory not large enough last year?

Mr. LANGEVIN. It is too small. There is only one garden to look after, and this conservatory will be separated from the other but four feet, the same heating apparatus serving both.

99. Conversion of Government work-shops into Supreme Court..... \$12,500 00

Mr. BLAKE. Will the hon. Minister of Public Works explain this item?

Mr. LANGEVIN. The item is not for the benefit of the Supreme Court, but really for the Parliamentary Library and the greater convenience of members. We have not space enough in the buildings, or enough rooms for the meetings of the members of the different Provinces, who should have rooms for themselves. Besides, the Library is too small, and many books are spoiling in the garrets and cellars. We must elsewhere find room for them. By removing the Supreme Court to the Government Workshops, ample accommodation will be given the Library, and we shall have several additional rooms for the general purposes of the House. Those workshops, when altered, will accommodate the officers of the Court on the ground

floor, and the Hall will serve for the Court. There will be two rooms for a picture gallery, in which the paintings presented to the people can be hung.

**Mr. DESJARDINS.** I have no objection to the picture gallery, but I would like to know if the changes in regard to the Supreme Court, to meet the wishes of the Province of Quebec, will soon be made?

**Mr. LANGEVIN.** The First Minister will, no doubt, answer that question at another time, and I am sure his answer will satisfy my hon. friend and the House.

**Mr. BLAKE.** No doubt we are suffering great inconvenience for want of accommodation, and this change, if it be accomplished with reasonable convenience to the public, will be a very great advantage. I hope that the extra accommodation we shall thus obtain from the various departments now used for the Judges and officers of the Supreme Court, will not be absorbed by some permanent or House officials, but be used for the accommodation of the members of the House. Really the present accommodation is now very slight, so that it is very difficult to find any place where we can do business, see people on business, or consult at all. And some of these rooms in the old library were not at all inconvenient for retiring rooms. Has the hon. gentleman any plan or idea consequent upon the redistribution of the library consequent on the change.

**Mr. LANGEVIN.** No. But I may say that while we are not prepared to say that such and such a room will be used for a certain purpose, we will see that rooms are provided in which members from the different Provinces or otherwise may meet and discuss matters which may be private to themselves.

**Mr. BLAKE.** I should be sorry to see the freedom of access between this end and the Senate, which was the original idea with regard to the present court room, interfered with any more than is necessary. I should like to ask what is the general plan of accommodation for the Courts. Is there to be a Court room on both storeys running up from the workshops?

**Mr. LANGEVIN.** The Chief Architect finds that very little alteration will be necessary in order to give a large, roomy and well-ventilated court room quite as good as the one now used. The Judges' room may be situated on the end opposite Wellington street, while the officers of the clerk and other officers of the Court will be below. There will also be a room for a small library and one for the barristers practising before the Court. I would not have believed that we could have got a room as high as the present Court room without going into the second storey, but I believe we can.

**Mr. ROSS (Middlesex).** I should like to ask the Minister of Public Works if he can provide any more suitable accommodation than that which is now at the disposal of the official reporters of the debates. They are very much disturbed in transcribing their notes, by the sounds which proceed from the post office and the conversations which take place in the lobbies. If the Supreme Court is to occupy other quarters, perhaps the official reporters might be put into the press room and the press into another room. I am certain that the hon. Minister, who has shown himself so anxious to accommodate members of the House and others, will adopt some means by which these officers, who are engaged upon very important and delicate duties, will be provided with more suitable accommodation.

102. Public Works and Buildings (Nova Scotia) \$13,000 00

**Mr. LANGEVIN.** Sydney Quarantine Hospital, \$4,000 is an additional vote. The \$4,000 are required for the hospital; \$2,000 would not have been sufficient.

**Mr. McDONALD (Cape Breton).** This vote for the quarantine hospital at Sydney, if I recollect aright, was first

put in the Estimates of 1873 and afterwards in 1874, and was not expended last year. I would like to know whether it is the intention of the Government to proceed with the work this year.

**Mr. LANGEVIN.** It is.

In answer to Sir RICHARD J. CARTWRIGHT,

**Mr. LANGEVIN.** In 1875 there was an appropriation of \$12,000 made for Pictou Marine Hospital, and it appears in the Estimates for that year, but it was not expended. It would cost \$12,000, the same amount as stated in 1875.

103. Charlottetown Marine Hospital ..... \$4,600 00

**Mr. LANGEVIN.** It is expected that will cover the whole. The work is not yet commenced. I cannot tell how many patients it will accommodate.

104. Public Works and Buildings (New Brunswick) \$115,500 00

**Mr. McCUAIG.** Last year I called the attention of the Government to the propriety of capitalizing the rents they pay in the different towns of the Dominion for the various public offices. In the town where I live we pay \$400 for the rental of a custom house, excise office and post office. That sum capitalized would give \$6,000 or \$7,000. I think if one building were built for all these offices, it would cost the Government no more, in the shape of interest, than they pay now as a rental.

In answer to Sir ALBERT J. SMITH,

**Mr. LANGEVIN.** The item of \$77,000 for Dorchester Penitentiary, is for a new wing to the building and to pay some accounts that we owe. The contract was entered into on the 23rd of November last for the erection of a new wing and a boiler house. The addition will give increased accommodation for 100 persons, making in all 220. It is contemplated to erect at sometime or another a wing opposite this one, so as to make the whole building in the form of a cross.

In answer to Sir RICHARD J. CARTWRIGHT,

**Mr. LANGEVIN.** The item of \$9,200, for Post office and Custom house at Woodstock, will be the whole cost, including \$4,700 paid for the lot of land. I have not the dimensions of the lot here, but it is a double lot, and is situated in the centre of the business portion of the town. There is no other lot available that is so convenient.

In answer to Sir ALBERT J. SMITH,

**Mr. LANGEVIN.** The present Marine Hospital building at St. John is very old and not worth repairing. The ground on which it stands is the property of the Government, and we expect that this amount will construct the whole building.

**Mr. ANGLIN.** I hope if the Government are going to erect an hospital in St. John, they will give us a building that will cost more than \$10,000. Twice \$10,000 would be more appropriate for a city with such an amount of trade and shipping.

**Mr. LANGEVIN.** Of course the style of the building must always depend on the place, and I have no doubt the building to be erected in St. John will be in keeping with other public buildings in that city.

**Sir RICHARD J. CARTWRIGHT.** What is the population of Su-sex, for which a preliminary vote of \$5,000 is taken for a Post office, Custom house and Inland Revenue office?

**Mr. LANGEVIN.** It is in King's county, and in 1871 it had a population of 5,606. The building will probably cost \$10,000 or \$11,000.

**Mr. BURPEE (St. John).** At the very utmost, there cannot be over 1,000 people within a radius of a mile.

**Sir ALBERT J. SMITH.** I do not oppose this vote, though I think the Finance Minister should not let this

Session pass without making provision for public buildings in the town of Moncton, the population of which is five times that of Sussex.

Mr. McCUAIG. I am astonished that there is not \$10,000 appropriated for a Custom house and Post office in the town where I reside, and which must have a larger population than Sussex.

Mr. ANGLIN. The hon. Minister of Public Works speaks of the parish of Sussex when he speaks of its population. Sussex, for which this vote is taken, is a village near the railway station, where there are certainly not more than 1,000 people. Some of us would like to see a principle established so that all towns and villages of the same size should be treated alike. In the shire town of my own county we have need for similar buildings. Some money should be spent in the Maritime Provinces for public buildings. The most of it is evidently now going west.

Mr. MILLS. There are no buildings of that kind in either St. Thomas or Chatham, each possessing a population of 10,000. The Government should act on some uniform principle. The late Administration proposed to build custom houses and post offices in places having a certain population, beginning with those most populous, while the present Government was reversing the order and commencing with places with a small population.

105. Public Works and Buildings (Quebec). .....\$128,000 00

Mr. GAULT. In regard to the item of \$11,000 for an addition to the Montreal Inland Revenue office, I may say that that building is one of the oldest in the city. \$11,000 will not be sufficient to put it in order. That sum should be expended on the present Custom house, and the Inland Revenue Department might be transferred there, so that the public offices would be in the same building.

Mr. LANGEVIN. The suggestion of the hon. gentleman will be taken into consideration, but while I was visiting the Custom house this year I found that if anything had to be done in that way, it would be found, in a very few years, that another Custom house would have to be built elsewhere. The other building is further east than the Custom house, and is a detached building, and I am given to understand that if the amount asked for is expended, the Inland Revenue Department will be accommodated for many years to come.

Mr. GAULT. The property belongs to the city of Montreal; it does not belong to the Government, except by long tenure.

Mr. LANGEVIN. That is not so sure.

Mr. GAULT. We are anxious to obtain the building for a Sailor's Home, and are willing to pay a fair price for it.

106. Public Works and Buildings (Ontario). ..... \$84,280 00

Mr. BLAKE. What is Rideau Hall Conservatory, \$2,500, for? I would like to know when we are going to be done with the expenditure on Rideau Hall? The more we spend, the more we have to spend.

Mr. LANGEVIN. It is very difficult to answer this question; but I think with the expenditure of this item, the building will be tolerably well completed. It is a very extensive and no doubt a very expensive property; but the expenditure the current year is but half that of last year.

In answer to Mr. ANGLIN,

Mr. LANGEVIN. The \$8,000 for Cornwall Post office, is for a site. The cost of the building will depend very much on the character of the architecture of the town. I do not think that architecture very remarkable, or that the cost of the building will be very large.

Sir RICHARD J. CARTWRIGHT. What will the Stratford Post office building cost?

Sir ALBERT J. SMITH.

Mr. LANGEVIN. About the same as the Belleville.

107. Public Works and Buildings (Manitoba). .....\$56,200 00

Mr. BLAKE. What is the principle upon which such votes as the Manitoba Penitentiary, \$5,500, are taken? Is it the custom to take all the vote for the repairs of those Public Buildings under another head?

Mr. LANGEVIN. When the amounts are large, special votes are asked for.

Mr. BLAKE. I would suggest that, in future, it would be better, when the hon. gentleman has taken a vote for a public building, and for a new erection, and part of which is for the restoration or maintenance of a building, that the vote should be split up. In another year, whatever is in the nature of repairs or renewals of any old work should be so stated, and whatever is in the nature of a new work should be mentioned in addition; then we should have our capital in buildings more clearly specified.

Mr. LANGEVIN. I think the suggestion is a good one. The items for new buildings should be so stated, those for renewals and repairs also set down in a way to distinguish them from the others.

Mr. ANGLIN. Has the Minister any idea of the first cost of the Parliament Buildings, Winnipeg?

Mr. LANGEVIN. The whole cost of the buildings will be \$80,000. I might say with regard to the Lieutenant-Governor's residence that it will cost \$30,000, making \$110,000 in all.

Mr. ANGLIN. Are they built with a view to the extension of the Province?

Mr. LANGEVIN. Yes; there is the main portion of the building and the two wings. We are building the main portion in one wing, and the other wing will be built when the requirements of the Province demand it.

Mr. ANGLIN. How many members will the Chamber accommodate?

Mr. LANGEVIN. I cannot say. It is being made to accommodate a good many more members than there are in ours. The work was undertaken after consultation with Messrs. Norquay and Girard, members of the Local Government.

109. Public works and buildings (British Columbia). \$30,400

Mr. ANGLIN. What is the state of the British Columbia Penitentiary? I have heard a good many complaints with regard to it. Some of the hon. members from British Columbia gave us a deplorable account of the state of that building.

Mr. BUNSTER. I thank the hon. Minister of Public Works for this small sum for the erection of public buildings in Nanaimo. The inhabitants of that city being very desirous of having these buildings, offered to donate the land if the Government would erect the buildings, and that was done.

111. Repairs, furniture, heating, etc. .... \$241,363 40

In answer to Mr. BLAKE,

Mr. LANGEVIN. The item \$4,000 for grounds, is for keeping the ground in order, the gardener's salary, watchmen, workmen and horse hire.

In answer to Mr. GAULT,

Mr. LANGEVIN. The item of \$23,000 for gas, is a large sum, but when it is remembered that we have been here since the 9th of December, hon. gentlemen will understand why it is so large.

Mr. ANGLIN. Why is the water account increased?

An hon. MEMBER. Because the bar has been closed.

Mr. LANGEVIN. When we prepared this item we did not take the closing of the bar into consideration, but I am afraid we shall have to increase it on that account. The city of Ottawa, which owns the water-works, has represented to the Government that since the contract for supplying the Public Buildings was made, the extension of the Western Block has been made, the conservatory erected and hydrants established to water the grounds in summer. Besides, we have the museum, the drill shed and other buildings which require to be watered. For these reasons the city asks for an increase in the appropriation for water. An Order in Council was passed allowing \$12,000, provided Parliament assented. The agreement with the city is that this sum shall be in full compensation for supplying water to all public buildings now erected or that may be erected in future; but said increase shall only be paid from such time as a filter properly constructed, shall be attached to the suction pipe supplied from the city water-works, said supply to be taken from a point further out in the river, and the remuneration to date from the 1st of July next, provided always the arrangement is sanctioned by Parliament.

Resolutions ordered to be reported; and (at 12:10 o'clock, a m.,) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 4th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

CHIEF JUSTICE WOOD.

Mr. ROYAL. Mr. Speaker, it is my painful duty to present a petition against the Hon. E. B. Wood, Chief Justice of the Court of Queen's Bench, of Manitoba, complaining of himself as such, and signed, amongst others, by A. J. Clarke, Q. C., formerly Attorney General of the Province, and F. T. Bradley, J. P., and Collector of Customs at the Port of Emerson, in the Province of Manitoba.

### NOTICES FOR PRIVATE BILLS.

Mr. DREW moved that the notice required by Rule 60 to be given by Committees, prior to the consideration of Private Bills, be reduced to twenty-four hours for the remainder of the Session, as recommended by the Committee on Standing Orders.

Mr. BLAKE asked if it was customary to cut down the notice at so early a stage of the Session.

Mr. DREW said that if the motion were not adopted two or three Bills might be thrown over.

Motion agreed to.

### BILLS INTRODUCED.

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

Bill (No. 79) to incorporate the Northern and North-Western and Sault Ste. Marie Railway Co.—(Mr. McCarthy.)

Bill (No. 80) to incorporate the Acadia Steamship Co., Limited.—(Mr. Longley.)

### THE ANDREW MERCER ONTARIO REFORMATORY.

Mr. McDONALD (Pictou) introduced a Bill (No. 81) with reference to the Andrew Mercer Ontario Reformatory for Females, and the Central Prison for the Province of Ontario.

Mr. MILLS. What is the object of the Bill?

Mr. McDONALD (Pictou). It is to amend the Bill I introduced last year, amending some clauses in the Act respecting the management of this institution.

Bill read the first time.

### INSPECTION OF STEAMBOATS.

Mr. POPE (Queen's) moved that the House resolve itself into Committee of the Whole to consider the following Resolution:—

That it is expedient further to amend the Act relating to the inspection of steamboats, and to make better provision for the prevention of accidents by the explosion of their boilers from faulty workmanship or material.

It is necessary that the plates which are used in the manufacture of boilers should be properly tested and provision will be made for that purpose. It is also provided that the boiler maker instead of the maker of the plates shall make the required declaration.

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

Mr. POPE introduced a Bill (No. 82) further to amend the Acts relating to the inspection of Steamboats.

Bill read the first time.

### SAVINGS BANKS IN ONTARIO AND QUEBEC.

The Resolution adopted in Committee of the Whole, yesterday, respecting certain Savings Banks in the Provinces of Ontario and Quebec, was reported, read a second time, and agreed to.

Sir LEONARD TILLEY introduced a Bill (No. 83) further to amend the Act respecting certain Savings Banks in the Provinces of Ontario and Quebec, and to continue for a limited time the Charters of certain Banks, to which the said Act applies.

Bill read the first time.

### PATENT ACT.

House resolved itself into Committee of the Whole on Bill (No. 45) still further to amend "The Patent Act of 1872."—(Mr. Pope, Compton.)

In answer to Mr. BLAKE,

Mr. POPE (Compton). I propose to amend the first clause by inserting the words "not more than two years have elapsed since the expiration" in the first and second lines. In the fifth line I propose to substitute the words "after such restoration" for "of such restoration."

Mr. BLAKE. I venture to suggest that it would be important for us to have the names of the persons affected by the operation of the law, if they are not to be scheduled. Does the return brought down in the Senate cover all the names?

Mr. POPE. It was meant to cover all cases in which applications had been made. My hon. friend from Hamilton (Mr. Robertson) told me that he had a case of this kind, and of course all such cases which happened within the year just now expired would come in under this Bill.

Mr. BLAKE. Not all the cases, because the hon. gentleman proposes now to make it two years instead of one.

Mr. POPE. But the time within which the patent could be renewed would be the same. Of course, that return covered all, and a good deal more than all.

Mr. BLAKE. I have received communications from two persons, since the former discussion, who stated cases, one of which certainly does not come within this Bill, and which yet seem to me to be more deserving of consideration than some of the cases

for which the Bill provides. One case was that of a man who represented in a letter to me that he had two patents, one of which expired within two days of the time at which the other expired. They were both purchased by him. He thought one of them was worthless and that the other was valuable, and he intended to renew the valuable one and to let the other go. But he was mistaken as to the date at which it expired, reversing the dates in his mind, and consequently, thinking that the valuable one expired last, he allowed it to pass the period of delay fixed by the hon. gentleman before he found out his error. Another person wrote in a similar strain. Now the hon. gentleman proposes to proceed upon the ground of a suggested ambiguity in the law.

Mr. POPE. This is the working of a new law, and these people have allowed their patents in many cases to expire through carelessness. Some hon. gentlemen say: "Let them come back to Parliament and renew it." But that is not an easy thing to do, it costs a lot of money. My own impression is that we should try to relieve those people who had by some mistake allowed their patents to expire.

Mr. BLAKE. But the difficulty is that of drawing the exact line. I have stated a case which, owing to a mistake in the man's mind when he sent in his application, would not be covered by the hon. gentleman's Bill. I am merely pointing out the difficulties of interfering in this way by legislation at all. I do not see how the hon. gentleman can very well give a long delay, and at the same time I do not see why the line may not satisfactorily be drawn at ten days in favor of those who may have unknowingly left the thing undone. As far as the precedent is concerned I should think it more satisfactory if the hon. gentleman had proposed a measure to give relief in some eight or ten cases which he brings before us, and in which he is satisfied there is a case for relief.

Mr. ROBERTSON (Hamilton). The case I mentioned when the Bill was last before the House would hardly be covered by this Act. The preamble says that:

"Whereas in certain cases there has been a misapprehension as to the true intent and meaning of so much of section 17 of the Patent Act of 1872, as specifies the period at which the extension of a patent may be obtained; whereas it is expedient to provide a remedy for certain cases in which, through such misapprehension, the time for obtaining such extension has inadvertently been allowed to expire, etc."

The case I have mentioned is that of a gentleman who held a patent thinking that it did not expire for ten years, whereas it was five instead of ten; and a couple of days after the five years had expired he found it was only a five years' patent instead of a ten years' patent. Upon my suggestion he put in his claim. Now, it appears to me that the words of the preamble hardly cover a case of that kind; the preamble should go a little further if it is intended to meet a case of that kind. If a *bonâ fide* case, such as I mention, is made out, of course, the hon. Minister has power to extend the time. Therefore, I would suggest that after the word "misapprehension" in the preamble, you should add "or from other causes."

Sir ALBERT J. SMITH. Is it intended that this Act shall apply only to past cases, as the recital seems to apply?

Mr. POPE. It is only intended to apply to past cases, and only to be in operation till the 31st of October next.

Mr. JONES. I have no objection to the Bill, as it specifies in the schedule the patents of which renewals are asked; and if patents have been allowed inadvertently to lapse, we can renew them; but I do not think a Bill should be passed allowing for the renewal of patents every year or so, because it might open the door to great disturbance of the patent regulations.

Mr. BLAKE. The great difficulty is that which the hon. gentleman has suggested. Once you open the door to the  
Mr. BLAKE.

possibility of a Bill every Session, you do away with the necessity of great vigilance on the part of the patentees to obtain their renewals at the expiration of their terms.

Sir LEONARD TILLEY. To show the necessity of action, I may mention that one of those cases is rendered necessary because the letter of a patentee applying for a renewal of his patent reached Ottawa a few hours late, owing to the delay of a train. That is a case which came within my own knowledge, and it shows the necessity of this Bill.

Sir ALBERT J. SMITH. This Bill would not be applicable to such a case.

Mr. KIRKPATRICK. There is a very good reason for renewing that patent. In special cases, if application were made to the House for renewals, I think the House would not require very minute evidence to be given as to the reasons for granting them. But there is great force in the objection of the hon. member for South Leeds (Mr. Jones) that this Bill might open the door to negligence on the part of patentees.

Mr. BLAKE. Of course we must remember that the law allows a patentee to get his patent for fifteen years, or if he chooses for five or ten years, at a cheaper rate. That is a reasonable indulgence to him. I should be very glad to relieve these poor people, but while we have a law to relieve them, we should avoid any course of action which may render necessary the interference of Parliament to re-open the question; while in cases arising from accident such as that mentioned by the hon. the Finance Minister, or from ambiguity in the Act, we should of course be prepared to give relief, yet there is danger that the knowledge that we shall give that relief will make such cases occur. It does not say at the moment, or the day, or the hour of expiration.

Mr. BLAKE. It does not mean after the expiration.

Sir JOHN A. MACDONALD. They have read it to mean before or after the expiration. By taking out the word "at" you will remove all possibility of doubt. The case mentioned by the hon. Minister of Finance is a very hard case, but no law, however general, can prevent Parliament from dealing specially with a particular real grievance.

Mr. MILLS. This is private legislation introduced in the form of a general Act. If the names of the various parties were given, it would be practically a private Act. Under the form of a general Act, the hon. gentleman proposes to take power to issue patents to those who, he says, have misinterpreted the law. My impression is that the law has never been misinterpreted. If parties have failed to renew their patents, it was through negligence or causes similar to those mentioned by the hon. Minister of Finance, and not through misinterpretation of the law. The use of the word "at" cannot convey any other idea than the time of expiration. It is impossible any such ambiguity as the hon. member suggests can exist. The first section contains the words: "the Commissioner of Patents within ten days of such expiration." That means before the expiration, and this Bill will, therefore, not enable anyone to obtain a patent who cannot obtain it now. If the hon. gentleman proposes to deal with any particular case, he should let the House know precisely the ground on which this renewal is based. If the hon. gentleman will bring down a statement convincing the House there is a single case falling within the terms of the preamble of the Bill, it will be time enough when he brings down such statement to proceed with the Bill.

Mr. WHITE (Cardwell). No one has yet pretended that any cases that have arisen under the Act, have arisen because of a misunderstanding of the law on the part of a patentee. They have all arisen from delay on the part of the patentee. The case referred to by the hon. the Finance

Minister is one in which the patentee perfectly understood the law, but delayed sending in his application in time. It was received in the department too late, although it was in the post office on the day required. In that case the department might have considered the application which was lying in the post office on the day named, as having been to all intents and purposes in the hands of the department. I have not heard of a single instance in which the difficulty arose from ambiguity in the law. The privileges granted under the Act to individuals are so great, that the individual ought to appreciate it sufficiently to take the usual means provided by law to protect himself in its continuance. If this Bill becomes law, it will be a precedent which I do not see how Parliament can avoid following up hereafter when similar cases arise. If we had a specific number of cases, which it was shown arose out of any ambiguity in the law, that would be a good reason for our taking action in the matter. All interests are not protected in this Bill. If, on the lapse of a patent, a person, not the patentee, has made all necessary arrangements for the manufacture of the article, the Bill provides that he shall, on renewal of the patent being granted, be allowed to dispose of the articles he has made, but does not allow him to go on manufacturing or provide compensation for the liability he has incurred in preparing to manufacture them, though he did so in good faith under the law. A clause should be added that in such cases the patent should not be renewed, or if renewed, the right of the person who took advantage of the lapse of the patent should be secured. I prefer the Bill should not be passed, or if passed should have a schedule added to it, as to particular cases.

Mr. MACDOUGALL. The difficulties pointed out by the hon. member for Cardwell bring home to us very clearly the fact that this Bill is based on a wrong principle. It is a principle of the old patent system, that when an invention has once been given to the public, and when the public are in possession of the knowledge of the process, it cannot be made the subject of exclusive use by the individual. The public are endowed with it. If that should happen to be the case with reference to any of the patents which will be covered by this Bill, we are taking away from the public by Act of Parliament that which is theirs and handing it over to individuals. I do not think that is a very safe or a very wise proceeding. It is certainly contrary to the principles of legislation in a free country like this. From my own point of view, I dislike legislation of this kind. It may be that there are cases of hardship, as has been pointed out by some hon. members, but there is no hardship in the law itself. The hardship results from the ignorance or negligence of individuals who have this right. By their own acts they have lost the advantage, and they now apply to Parliament to make amends for their abandonment of their privileges or rights. The Bill will constitute a very questionable precedent. Of course, future Parliaments are not bound to follow up wrongful or injudicious Acts of the present Parliament; but the parties in similar cases will have a very strong argument, at all events, with respect to hon. members who are now in the House and parties to this proceeding, that Parliament should deal as generously with persons who, in the future happen, by any misfortune—because perhaps it was a misfortune that they were indifferent to their own interests—were indifferent to their position. I think if the Minister of Agriculture, from his departmental knowledge, is aware of cases of hardship to individuals through the strict interpretation of the law, and that in respect to such patents the public have not acquired any valuable interest in them—if they are in suspense as it were—the names of the parties should be entered in a schedule attached to the Bill. I thought, in the first instance, that was the form of the Bill; I remember seeing the original draft, and it seemed that did obviate

some of the evil consequences which would flow from such a precedent. But the Bill has been changed in that particular. I am not aware of the reason for the change. I have no knowledge of the patents to be dealt with by the Bill, or of the persons concerned in them; but no provision is made for the purpose of protecting those persons who have invested money in the manufacture of particular articles that are patented. I expected to see petitions presented and correspondence in the hands of members with respect to this Bill; but as hon. members do not agree with regard to its terms, that might explain the absence of petitions.

Mr. POPE. I think clause three covers the point raised by the hon. member for Halton (Mr. Macdougall). The hon. member for Cardwell (Mr. White) said I should have renewed the patents. I could not have done so, for such an act would have been a direct violation of the law. In one case my predecessor did renew a patent which had expired, and the document was not worth the paper on which it was written. It is my duty as Commissioner of Patents to investigate the different cases. I am not wedded to the Bill, and if the House thinks a schedule of cases should be brought down, I am in the hands of the House, so far as that is concerned.

Mr. BLAKE. Will the hon. Minister say whether he has himself investigated all the cases of those persons who have applied for a renewal of patents, and whose names are mentioned in a statement submitted to the Senate?

Mr. POPE. I have not investigated them; but they have all applied.

Mr. BLAKE. Has the hon. Minister investigated as to whether in any, and if so, in how many cases, and in which, the parties have alleged that their applications were necessary, because they had mistaken the law?

Mr. POPE. I could not say in which cases that had occurred; but in some cases they had not understood some of the clauses of the Act as I understand them.

Mr. McDONALD (Pictou). I cannot see that the difficulty is so great as some hon. members have made it appear. If a wrong was made out to the House, the House would be willing to grant relief. Now the Minister of Agriculture asks the House to grant relief in a form which as fully protects the public interest and the manufacturers interests, as if he came with a special application for relief in a particular instance. He says, practically, I desire the House to enable me, in the terms in which I propose, to investigate within certain limits as to the application of certain specified persons, the names of whom we laid on the Table, as to whether they are entitled to the relief sought to be given by this Act, and whether, if such relief be given, or be desirable, it should be afforded without injury to the public interest. The only question the House has to decide—admitting the principle that it will be willing when special cases are made out, cases of special injury or misapprehension, to grant relief, is—is it safe or proper to transfer the discretion, which the House itself might exercise, to the Minister of Agriculture as Commissioner of Patents? It appears to me that, within that department lies more especially the investigation of such an application. My hon. friend is responsible to the House and country for the proper exercise of that ample discretion, and he reserves, by the words of the Act, in the fullest sense, the power to subserve the public interest in the direction stated so forcibly by the member for Cardwell (Mr. White), as to the protection of those who may, upon the assumption that the patent has expired, have invested their money in the manufacture of the articles concerned; this question and the question of the renewal of the patent will come under the discretion of, and be subject to, the decision of the Minister of Agriculture. The Commissioner may, in his discretion,

after such hearing of the conflicting interests, if any, as he may deem expedient, revive the patent. Therefore it would be the bounden duty of the Commissioner—and the mode of discharging the duty might be prescribed by the House if it thought necessary—to determine after calling before him every interest affected, as to the rights of the parties. But it is a very important power to give to my hon. friend, but not more important nor requiring a higher exercise of discretion than in other respects departmental officers are obliged to exercise every day.

Sir ALBERT J. SMITH. How can you find out what interests are affected?

Mr. McDONALD (Pictou). I suppose by the use of the ordinary means by which you notify the general public to look after their interests. I take it for granted that the manufacturers or others likely to be affected by the Bill are men who read the papers and know what is going on; and a notice in the papers or the *Gazette*, or in any form prescribed, would surely amply notify all those interests in matters likely to be affected. I believe the Bill is a wise one, and that provided the House feels that the discretion proposed to be given the Minister is not too large, the manner in which he proposes to remedy any individual grievance, hardship or wrong, appears less injurious to the public interest and less onerous to individuals than the individual application to this House. The member for West Durham says that this would form a precedent that would be followed. That does not follow. This debate on the Bill, with the strong opinion expressed by hon. members in favor of a general measure of relief, will itself be a notice to persons interested in similar patents, that no Minister can again propose relief, or no private individual come to ask such relief, unless he can urge the strongest possible grounds and reasons for it. So it appears no harm can be done by allowing the Bill to pass.

Mr. WHITE (Cardwell). The difference between the hon. Ministers and myself is this: I do not admit there is either wrong, injury, or grievance in this matter. So we start from different standpoints. The only difficulty is, that certain persons who had privileges under the law have neglected to take the steps which would have enabled them to retain those privileges. If there is any special case where any ambiguity of the law has led to those difficulties, that is a different matter, and in such a case special relief might be granted by naming the case, so that every one would have notice of it. But I have perfect confidence in the ability of the Minister of Agriculture to deal with the matter, if Parliament choose to invest him with that power. But I think that where an Act of Parliament is passed, which specified that certain persons could obtain a renewal of their patents under certain conditions, and which sets forth the rights of other individuals, by a specific form of words, it is really law, and the Minister is practically bound to carry it out. For instance, the hon. Minister of Agriculture says that he thinks the clause that protects the interest of persons who may have acquired an interest in the matter, through the lapse of the patent, gives sufficient protection. I do not think at present they are protected, as to the specific articles they may have manufactured, to the extent of allowing them to go on and manufacture, and continue to use their investments and other means for that purpose. In this respect I think the law is not wise. I have no hesitation in expressing my decided opposition to any legislation which looks to the furtherance of particular and private interests as distinguished from the public interest. In this case certain persons have got patents, and they have chosen to neglect to send in application for their renewal. It is their own fault, and I do not think they are entitled to any consideration on the part of this House.

Mr. BLAKE. It might be a pity to complicate the discussion of the first clause with the phraseology of the third  
Mr. McDONALD (Pictou).

clause, to which the member for Cardwell has alluded. Of course, if the Bill is to pass it would be very easy to mould the third clause so as to protect a person who had commenced the manufacture of a specific article. That is an objection of detail which can be easily met. The hon. Minister thinks that it is met by an existing clause. I think it is very doubtful, but it can be made clear. I want to call the attention of the Committee, and of the leader of the House, to the fact, that the statement of fact that the hon. Minister has made, has removed the foundation from the larger part of this Bill. The hon. First Minister rightly said that the Bill was based on the proposition that there was an ambiguity in the law which had caused misapprehension, and consequently loss to certain parties. I do not think, as to the first extension, that there is any ground for saying that there is any ambiguity, but even if there were, still if it has not operated ambiguously to anybody, and has occasioned no loss, there would be no ground for relief on that score. The hon. Minister has told us he has looked at those cases, and that there is no case of an applicant for relief in respect to the first extension, on the ground that he has been misled by any ambiguity of the law.

Mr. POPE. I said that I had not found such cases, but that three or four gentleman had spoken to me, who had misunderstood the Act.

Mr. BLAKE. That was as to second extensions.

Mr. POPE. Yes; I was speaking of second extensions.

Mr. BLAKE. The House should not be asked to legislate simply because it is possible that some persons may have been misled. The hon. gentleman was not prepared to show that a single individual, even alleges that he has been misled with regard to first extensions. The hon. Minister now says with regard to second and third extensions that three or four persons told him that they were misled. Well, if ambiguity exists with regard to second and third extensions let us deal with it directly, but let us not attempt to get at second and third extensions by dealing with first extensions.

Mr. ROBERTSON (Hamilton). I understand the hon. Minister to say that certain persons have told him that they misunderstood the law, and that that is the reason he now seeks to remove the ambiguity. That there is an ambiguity is quite clear from the fact that hon. members place so many different constructions upon the language of the Act.

Mr. JONES. The Bill, as now presented, is very different from the one which was sent to the Senate. The latter proposed to deal with a certain number of cases which were scheduled, while this measure provides that the Minister may adjudicate upon such cases as may be referred to him for the next two years. It appears, from the discussion, that some hon. members of this House cannot understand the Bill, so it is not to be expected that laymen outside will understand its meaning. I think if the Government wished to change the Patent Act they should have brought in a new measure altogether, instead of patching up the old one.

Mr. MILLS. The hon. gentleman asks us to legislate for particular parties, after having said himself that there are no particular cases unprovided for. If I understand him right, he proposes to permit anybody to come before him, and no matter how negligent he may have been, if he says, I misunderstood the law, the Minister will accept that statement as conclusive evidence, and act accordingly. I think these cases should be investigated and reported upon by the Minister, so that the House might judge of their merits. If this Bill is carried it will not meet the cases which have been mentioned. Unless these parties were to come before the Minister, and to make a false statement, nothing will be done, and we ought not to be called upon to proceed under these circumstances.

Sir JOHN A. MACDONALD. My hon. friend who has just spoken says that the promoter of this Bill had not taken any trouble to ascertain the particular cases. On the contrary, when that Bill was introduced into the Senate it contained a schedule of all the cases. But the Senate chose to strike that out, and as I think that that schedule ought to be attached, I would move, for that purpose, that the Committee rise and report progress.

Progress ordered to be reported.

#### ADMINISTRATION OF JUSTICE IN THE DISPUTED TERRITORY.

Mr. McDONALD (Pictou) moved that the House resolve itself into Committee on Bill (No. 64) respecting the administration of criminal justice in the territory in dispute between the Governments of the Province of Ontario and the Dominion of Canada.

Mr. BLAKE. Before this motion is put, I desire to say a few words with reference to this measure. It is, of course, one for continuing a measure already on the Statute-book, and, in so far as that specific object is concerned, I do not offer any objection. But I think it well to point out that it does not go far enough—so far as, under the circumstances, legislation is necessary. The state of things in what is called the disputed territory is at present very unsatisfactory. It is extremely prejudicial to the prospect of that territory, and whether it shall be adjudged to belong, in the end, to Ontario or to the Dominion, we have but one common interest to promote its settlement and advance its future. At the present time there is a great uncertainty as to the jurisdiction of magistrates or justices of the peace within the disputed territory. The Act which is now to be renewed does not declare, as I think it well might declare, so far as this Parliament is concerned—and in view of the pretension of the Dominion of Canada, that this territory is within its legislative bounds—what law should govern in the case of civil rights. Of course, if the territory is, as it is believed by many to be, within Ontario, that declaration would have no effect, but it would be an easy and reasonable mode of dealing with the case as one in suspense; and inasmuch as we know that this territory is being settled by people from that Province, and that the administration of justice is attempted to be exercised through the medium of the authorities of that Province, it would be reasonable to declare, in the meanwhile, that the civil law of Ontario should govern. There is also a practical present question left unsettled, namely, whether the license law of Ontario or the prohibitory law of Keewatin, is to affect the territory. It seems to me that that question ought to be settled, and that authority ought to be given to the justices of the peace of Keewatin, at Thunder Bay and in Algoma, to act in the territory under the jurisdiction of the District Court of Algoma. Great inconvenience and expense have arisen with reference to the administration of criminal justice. A person named Horne, accused of murder, was obliged to be brought at heavy expense to Sault Ste. Marie for trial, when he might have been tried elsewhere. Then I think some provision ought to be made for dealing with the sale of timber lands in the disputed territory, in so far as necessary to promote and carry on settlement in the meantime. I think that while it might be reasonable to say that so long as this Parliament does not act on this question, there ought to be caution used in the exercise of the power of alienating the public domain, or at least that no authority should be given to alienate the public domain, there could be no possible objection, as I conceive, to empower to alienate for purposes of settlement and to create a mutual recognition of the titles already given. The question of the prohibitory law of Keewatin and of the license law of Ontario is one of the utmost consequence. What I have to say briefly is, that the

Government which has not taken any action in this matter with a view to its settlement, which recognizes the difficulties of the case by bringing this Act into Parliament, ought to have proposed, and ought yet to propose this Session, special and temporary legislation with the view to meet the other difficulties to which I have referred. I do not suggest that any legislation in the present position of this question should be made which should be deemed to be, or which should on its face be, otherwise than non-committal as to the ultimate settlement. But some arrangement for the carrying on of affairs in the meantime ought to be made, more satisfactory than that which at present exist, though this Bill, important as it may be, leaves unsettled difficulties greater than those which it solves.

Mr. McDONALD (Pictou). My hon. friend will see that the important questions to which he refers are altogether out of the purview of the Act before the House. They are undoubtedly all questions of very great importance to the country affected by the uncertainty as to the boundary line between Keewatin and the Province of Ontario, but which of course, if dealt with, must be dealt with by a separate measure entirely, and not by a measure such as the Bill now before the House. My hon. friend has called attention to a case in which some hardship occurred in consequence of the distance to which a party had been transported to be tried. No such difficulty has been brought to my notice. On the contrary, I have been informed by the officers who have administered the law during the first year, that it has worked very satisfactorily. The important questions outside of this measure to which the hon. gentleman refers must naturally and will engage the serious consideration of the Government.

(In the Committee.)

Mr. MILLS. I would like to ask whether the Government propose to give to Manitoba on the east an indefinite boundary, or to take the meridian of the north-west angle as the eastern boundary. It is important that the House should know, while this Bill is under consideration, what the intentions of the Government are in this respect, because considerable practical consequences are likely to result from their action.

Sir JOHN A. MACDONALD. That is not a question which can properly be discussed in Committee where we can only consider the different clauses of the Bill as they arise.

Mr. MILLS. When the hon. gentleman proposes to deal with the criminal jurisdiction within a certain disputed territory, with respect to which an arbitration, appointed with the consent of the Local Government and the Government of Canada, came to a unanimous conclusion, I think we have a right to ask him for information on this subject. If the hon. gentleman proposes to say that the eastern boundary of Manitoba shall be the meridian of the north-west angle, it is perfectly clear that this question will remain as it is at present, until the question of the boundary is settled; but if he proposes to say that the eastern boundary of Manitoba will be the western boundary of Ontario, it is perfectly clear that as soon as this Bill is passed, the hon. gentleman will hand over to Manitoba the whole of this disputed territory, and involve that Province in the litigation regarding the western boundary of Ontario, by placing it in the position the Dominion occupies at present. I do not think the representatives from Ontario, no matter what their political opinions may be, or the representatives from other Provinces, who have looked into this question, will approve of the course of the hon. gentleman, if he gives Manitoba an indefinite, instead of a definite, boundary on the east. Therefore, this is a perfectly pertinent question when this House is asked to deal with the criminal jurisdiction of a territory which has been awarded to the Province of Ontario, if, at

the same time, he intends to hand over a large portion of that territory to a western Province, by a measure which is not yet before the House, but which was referred to in the speech from the Throne.

Sir JOHN A. MACDONALD. I do not think the hon. gentleman understood me. Of course, I do not dispute the right of the hon. gentleman to discuss this matter at the proper time; but in Committee, we should only discuss the clauses of the Bill. When the Speaker is in the Chair he can discuss the principles of the measure, but I hold that it was not at all pertinent to discuss the general question of the Manitoba boundary. Of course, though its connection with this measure is rather remote, I would be glad to discuss it with the hon. gentleman.

Mr. BLAKE. If it be the intention of the Government to alter the political condition of the disputed territory before next Session of Parliament, and to hand a great part of it over to the Province of Manitoba, it seems to me extremely relevant to the consideration of this measure; because it is open to one construction in so far as the Government put a portion of the territory into the Province of Manitoba, and another construction in so far as they leave it a part of the territory of the Dominion. It is not, of course, necessary that the hon. gentleman should answer the question now, but it is proper to raise it in Committee, because if he had the information he asks for, my hon. friend (Mr. Mills) might propose a clause confirming the operation of the Act to the part that would remain the territory of the Dominion.

Committee rose and reported.

Mr. McDONALD (Picton) moved the third reading of the Bill.

Mr. MILLS. I now repeat the question I put in Committee. This House has a right to know what the Government propose to do. It is perfectly obvious that if the hon. gentlemen were to bring in a Bill to extend the Province of Manitoba indefinitely over the disputed territory, he would not undertake to renew this Bill, and deal with this territory in a way different from that in which the other Provinces have been dealt with. He has only undertaken to deal with it now in an exceptional manner, because he says this territory does not belong to the Province of Ontario. We have therefore a right to know what the intentions of the Government are, because whether the House will permit this Bill to pass without opposition may depend on the answer the Government will give to this particular question. The two Bills are inseparably connected with each other, and that being the case, we have a right to know at this moment what the policy of the Government is on the whole question.

Sir JOHN A. MACDONALD. My hon. friend has a right to ask the question. He is mistaken in supposing it has anything to do with the British North America Act. Any legislation about the boundaries, enlarging or limiting them, comes under the subsequent Act, not the British North America Act.

Mr. MILLS. It is called the British North America Act of 1872. I followed the title of the Statute.

Sir JOHN A. MACDONALD. The Act says that the Legislature can enlarge, diminish or alter the boundaries of a Province with the consent of the Provincial Legislatures. When we know what boundaries the Legislature of Manitoba will consent to, it will be time to initiate legislation here. Our legislation must be based on the previous consent of the Provincial Legislatures. As soon as that is received, it will be laid before the House and the policy of the Government declared.

Mr. MILLS. On looking at the 146th section of the first British North America Act, it will be seen that the admission to the Union of any of the outlying Provinces was framed

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exactly the same as the provisions in the British North America Act of 1872 for the extension and alteration of boundaries. In the case of the admission of Prince Edward Island, the hon. gentleman maintained the Legislature could not act without a previous understanding having been arrived at with the Provincial Government. How was this Legislature, and the Legislatures of the Provinces interested, to come to any understanding unless there is some previous discussion and correspondence between them on the subject? When I was acting as Minister of the Interior, we found it necessary to change the boundaries of Manitoba, but we had correspondence with the Local Government, and came to an agreement with them and introduced a measure. No doubt the hon. gentleman must have come to some understanding with the Local Government of Manitoba, and it would be very satisfactory to know what the understanding was.

Bill read the third time.

#### NAVIGATION OF CANADIAN WATERS.

Mr. POPE (Queen's) moved the second reading of the Bill (No. 57) to give power to the Governor in Council to suspend the operation of certain provisions of the Act 43 Victoria, Chap. 29, respecting the Navigation of Canadian Waters.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

Mr. POPE (Queen's) explained that this Bill was introduced to make our navigation regulations correspond with those in force in England. It was also intended to enable the Governor in Council to make regulations here to correspond with those which may be adopted in England.

Bill amended and reported.

#### SUPPLY.—RELIEF OF THE DISTRESS IN IRELAND.

Sir LEONARD TILLEY moved that the Speaker do leave the Chair for the House to go again into Committee of Supply.

Mr. ANGLIN. Before you leave the Chair, Mr. Speaker, I would like to draw attention to the matter of the expenditure of the money we voted last year for the relief of the distressed in Ireland. I find from the papers brought down that the expenditure was very different from that which was contemplated. On the 20th February, last Session, Sir John A. Macdonald moved, after a Message of His Excellency was laid on the Table, "that there be granted to Her Majesty, \$100,000 to enable her to aid, to that extent, in the relief of the distress under which so many of Her Majesty's subjects in Ireland are now suffering." I felt myself exceedingly grateful that so handsome a sum should have been appropriated from the public Treasury for such a purpose, but I expressed some doubts as to the manner in which this money would be employed if it were placed, as the right hon. gentleman said he intended to place it, in the hands of the Colonial Secretary to be disbursed by him according to his best judgment. What I said on that occasion I shall read:

"I must, however, express my own regret that the right hon. the Premier did not see his way to send this amount, say to the Mansion House Committee in the city of Dublin. There are jealousies, there are suspicions, there are some doubts expressed as to the mode and manner in which funds already subscribed to various committees in Ireland have been distributed. I do not pretend to say that there is any foundation, in fact, for any of these doubts, but I think it would have rendered this contribution all the more acceptable, and have shown more consideration for the feelings and wishes of the people, if we had resolved to send the subscription to the body which possesses the entire confidence of a very large number of the people of that country, composed, as it is, of some of the first men in Ireland. Unfortunately the British Government has not shown much alacrity in dealing with this terrible famine; they have not

shown, at all events, any very great eagerness to save the people from hunger and from death. They talked of undertaking some public works. They have talked of making other provisions which, by-and-bye, may relieve some thousands of people, but months have passed away since it first became known that the people were starving to death, and up to this day I doubt if one thousand, at all events if ten thousand, of all the suffering people have received the slightest relief, because of any action taken by the British Government. Misunderstandings as to the state of the facts in the first instance stood in the way, and also an unwillingness to admit, even to themselves, the horrible fact that large numbers of the people were dying of hunger in a country so near that the cries of the famine-stricken must almost reach the Throne. When the existence of wide-spread famine too large to be denied covered the land, the trammels of red tape caused delay. Whatever the reasons were, we know that the people of Ireland, and Irishmen everywhere throughout the world, are complaining to-day, because the British Government have not shown the promptitude in dealing with this terrible affliction which it was their duty to exhibit. They have been slow and remiss. It is for this reason, amongst others, that I regret to find the right hon. gentleman has thought it his duty to follow what is, perhaps, strictly the official course in this matter, and to transmit this sum to the Secretary of State for the Colonies. But I may venture to suggest, perhaps with impropriety, that it should be accompanied, at all events, by the suggestion that it should be paid over at once to the Mansion House Committee, which has the machinery now actually in existence for the purpose of distributing relief, and with respect to whose distribution of contributions already made there is, I believe, no well founded cause of complaint."

The hon. member for West Durham, speaking afterwards, said :

"I think there was a good deal of force in the observations of the hon. member for Gloucester (Mr. Anglin), though I quite agree myself in the course the Government proposes to take as to the channel through which this fund should be forwarded; but it appears to me that, having regard to the purpose which animates us, it would be well that it should be indicated in the communication in some way, that, while we send it through the Secretary of State, the design is that it should be intrusted for distribution to such persons as they think proper, to aid in those efforts which are being made in Ireland. We know the Imperial Government is taking certain measures of its own which, in their nature, cannot produce results so rapidly as this contribution may, if promptly used, and if the circumstances of the case require that it should be immediately used, I hope the intention I have indicated will be made clearly to appear; and that our contribution will not be made part of any scheme for indirect relief propounded by the Imperial Government."

The hon. gentleman thus plainly indicated his view, which I believe was the view of every hon. gentleman in the House, on the subject that this money should be used promptly for the relief of those suffering from hunger, and not by any of the indirect modes which at that time it was supposed the Imperial Government contemplated. Sir John A. Macdonald, equally concurring in those views, said :

"I quite agree with the remarks of the hon. gentleman, and it is the intention of the Government, having obtained the sanction of this House, to use the cable immediately for the purpose of informing Her Majesty of this grant, and requesting that it should be applied for the immediate relief of the poor in Ireland."

Well, that was on the 20th February. Looking at the papers brought down I find none of that date. On the 26th February there was a telegram to this effect :

"OTTAWA, 26th February, 1880.

"To the Secretary of State for the Colonies :

"The Canadian Government have placed \$100,000 at your disposal for the immediate relief of Irish distress. Mayor of Dublin asks for distribution. Perhaps you would wish a portion to be distributed by him. This is left to your discretion, with request that money distributed shall not deprive recipients of franchise.

(Signed) "LORNE."

This is from the Governor General to the Secretary of State for the Colonies. Some days after the original resolution passed, a question was raised as to the possibility of a large number of persons being disfranchised should they participate in this relief. The right hon. gentleman at the head of the Government promised at once to cable to the authorities on the other side, conveying the wishes of the Canadian Parliament on this point; he cabled on the 26th February. But, if this be the first telegram sent to the other side by the Canadian Government, it conveyed at the same time the intimation, and for the first time, that this money was to be placed at the disposal of the Colonial Secretary, and it left it entirely to his discretion how the

money should be distributed. We, I think, were under the impression that the Governor General, acting under proper advice, had cabled at a very much earlier date. We find that on the 27th, next day, His Excellency transmitted the terms of the despatch conveying the same information, and with a copy of the Address adopted by the House.

"The Marquis of Lorne to Sir M. E. Hicks-Beach.

"OTTAWA, 27th February, 1880.

"SIR,—I have the honor of forwarding to you a copy of an Address which has been presented to me by the Senate and House of Commons of Canada, expressing deep sympathy with the Irish people in their great destitution, and granting to Her Most Gracious Majesty the sum of \$100,000 for the relief of the sufferers.

"The substance of this Address was communicated to you in my telegraphic message of yesterday's date, a copy of which I now enclose.

"I have, etc.,

(Signed) "LORNE."

"The Right Honorable

"Sir M. E. Hicks-Beach, Bart."

Then we find a great gap from the 27th February to the 5th March, when His Excellency received the following telegram from the Secretary of State for the Colonies :—

"Received at Ottawa, 5th March, 1880.

"From the Secretary of State for the Colonies :

"With regard to Canadian grant towards the relief of distress in Ireland, will your Government decide whether it should be given to Marlborough Fund, or divided between that and the fund of the Mayor of Dublin? The first has received large contributions here, the second has received all the Australian contributions."

My opinion is, that the Government, having so clearly ascertained the views of the members of this House on the subject, ought, in reply to that telegram, to have expressed distinctly the wish of Parliament as to the immediate distribution of the money and as to the most desirable mode of distribution. They seemed to agree with us that the best mode would have been through those two very active and most respectable Committees. However, on the following day, we find His Excellency telegraphed as follows :—

"OTTAWA, 6th March, 1880.

"To the Secretary of State for the Colonies :

"6th. My Government are desirous you should distribute fund. Will be perfectly satisfied if you divide one hundred thousand dollars between Marlborough Fund and Mayor of Dublin.

(Signed) "LORNE."

We have no further communication between the Government and the Colonial Secretary from the 6th of March until the 20th of April following, and this money, which was intended for the relief of the suffering poor in Ireland, remained undistributed during this period. It seems to me that Sir Michael Hicks-Beach used the discretionary powers with which he was entrusted in a very extraordinary way. On the 20th of April he wrote the following despatch :

"Sir M. E. Hicks-Beach to the Marquis of Lorne.

"DOWNING STREET, 20th April, 1880.

"MY LORD,—I have the honor to acknowledge the receipt of your Lordship's despatch, No. 66, of the 27th February, with a copy of an Address presented to you by the Senate and House of Commons of Canada expressing deep sympathy with the Irish laboring classes in their present great distress, and granting to Her Majesty the sum of \$100,000 in aid of the sufferers.

"2. I had previously to the receipt of this despatch been informed by a letter from Messrs. Glyn, Mills, Currie & Co., that they were prepared to pay over an equivalent sum in British sterling as a parliamentary gift from Canada, on account of the destitution in Ireland, and I had already placed myself in communication with Her Grace the Duchess of Marlborough and with the Lord Mayor of Dublin in respect of the best means to be taken for applying this munificent donation to the object for which it is intended.

"3. Your Lordship will observe from the correspondence noted in the margin, copies of which are transmitted with this despatch, that Her Grace's Committee and the Committee of the Dublin Mansion House Fund accepted a proposal that three members of each Committee should unite in forming a Joint Committee for the distribution of this grant, and that the Joint Committee so formed has been subsequently joined by three additional members representing the New York Herald Fund Committee, who have agreed to contribute in the proportion of one-third of the sum expended, to the objects to which the Canadian Fund may be applied. \* \* \*

"5. My telegram, of the 23rd March, will already have indicated to you the general plan which it is proposed to adopt in the application of the Fund for the assistance of the distressed people, and I was gratified to receive your telegram of the 13th instant, in which you informed me that Your Government cordially approve the proposed distribution.

"6. The correspondence now sent and especially the letter from the Joint Committee, of the 8th of this month, will show more precisely the direction in which it is intended that the relief should be given, namely: 1st. In the supply of seed. 2nd. In the construction of piers and harbors. 3rd. In providing fishing tackle. 4th. In other reproductive works, such as drainage of land."

The documents attached to this show that in writing to the Duchess of Marlborough and to the Mayor of Dublin, Sir Michael Hicks-Beach proposed the appointment of a joint Committee to superintend the expenditure of this money and that it should be expended for the purposes he mentions. The suggestion came entirely from himself, and he evinced, as I apprehend he would, a determination not to believe that there were many people in Ireland on the verge of actual starvation—people who were actually suffering from the want of food and clothing, to whose relief this money should have been applied two months prior to that time. He then proposes the expenditure of the money in a most extraordinary way. Two months elapsed during which subscriptions had poured into Ireland from every part of the world for the relief of the distressed, but anyone who watched the progress of those efforts for relief must have been aware that, notwithstanding these subscriptions, a large amount of distress existed, that many people were still at the verge of starvation for a long time; and yet this money, which would have done so much good, was kept until the crisis of the famine—if I may so term it—had passed away. The projects upon which Sir Michael Hicks-Beach proposed to expend the money are very good projects in themselves. All who take an interest in the welfare of Ireland would be delighted to see the Imperial Government make an appropriation for the building of piers or breakwaters as we would term them, to purchase such tackle for the poor fishermen of Ireland as would enable them to pursue their avocation after the famine had ceased. We should also be glad to see a system of drainage established for the reclamation of the waste lands of the island, upon fair and equitable terms; but Sir Michael Hicks-Beach must have been aware that the Parliament of Canada never intended the money they voted for any such purposes as these. He speaks of this sum of \$100,000 as if it was millions of pounds sterling, and as if it was sufficient to accomplish a great deal in the way of public works in Ireland. He says that on the 23rd of March he sent a telegram to the Government of this country in which he distinctly informed the Government to what purposes he intended to apply the money. We have not that telegram, but we have the despatch in reply, and I think that, under the circumstances, it is a most extraordinary document. Here it is:

"The Marquis of Lorne to Sir M. E. Hicks-Beach.

"OTTAWA, 13th April, 1880.

"SIR,—I have the honor to send to you, to-day, a telegraphic message as follows:—

"13th. Privy Council desire me to express their cordial approval of your distribution of the sum granted by Dominion Parliament for relief in Ireland, and request me to convey to you their sincere thanks for the trouble you have taken and the arrangements you have made."

"I enclose a copy of an approved Report of a Committee of the Privy Council on which the above telegram was based.

"I have, &c.,

(Signed) "LORNE"

"The Right Honorable

"Sir M. E. Hicks-Beach, Bart."

That report of the Committee of the Privy Council is not among the papers which have been brought down, although it is the one which we should most desire to see, for we would then have the grounds upon which this appropriation of the money, contrary to the expressed wishes of Parliament and of the right hon. gentleman at the head of the Government, is professedly justified. I think the House

Mr. ANGLIN.

is entitled to that document, and that the right hon. gentleman is scarcely treating us fairly in withholding it. Various reasons were assigned for their not being brought down, and in the end there was something said about their being confidential despatches. It is hard to imagine what confidence there could be about a subject of this kind which ought to be kept secret from the public of this country. There is nothing in the paper to indicate that any such confidential despatches ever passed between the two Governments, and we have it clearly indicated that a certain telegram was sent on the 23rd of March, from the Colonial Secretary, but that telegram we have not here. We have it distinctly stated by His Excellency that there was a certain Order in Council passed; that Order we have, and it is the only paper which would either justify, or excuse, or palliate the conduct of hon. gentlemen opposite, if it can be excused at all. I have been told, and I believe it is true, that on the very last day of last Session three papers, of which I hold one in my hand, were covertly dropped on and laid on the Table by hon. gentleman opposite, and these are the papers which it is found so very difficult this year to obtain. Probably the difficulty was not with regard to the papers that have been brought down, but as to the wisdom or prudence of bringing them down at all. I shall not make any motion on this subject; but I consider this large sum of public money was expended, I am satisfied, in a manner entirely contrary to that in which we intended it should be expended, and expended in a manner not calculated to give to the people then suffering from hunger, and cold, and nakedness, the relief which the Parliament of Canada desired so much to convey to them.

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

AFTER RECESS.

PRIVATE BILLS.

The following Bill was read the third time and passed:—  
Bill (No. 21) respecting the Grand Trunk Railway Company of Canada.—(Mr. Kirkpatrick.)

The following Bill was read the second time:—

Bill (No. 74) to incorporate the Napierville Junction Railway and Quarry Company (from the Senate).—(Mr. Coursol.)

The following Bill was considered in Committee, reported, read the third time, and passed:—

Bill (No. 59) to incorporate the Moncton Harbor Improvement Company.—(Sir Albert J. Smith.)

The following Bill was considered in Committee and reported:—

Bill (No. 23) to incorporate the Ontario and Quebec Railway Company.—(Mr. Cameron, Victoria.)

SUPPLY.—RELIEF OF THE DISTRESS IN IRELAND.

House resumed the consideration of Sir Leonard Tilley's proposed motion that Mr. Speaker do now leave the chair, for the House to go again into Committee of Supply.

Sir JOHN A. MACDONALD. Before six o'clock the member for Gloucester (Mr. Anglin) called the attention of the House to the return respecting the grant of this Parliament in aid of the suffering Irish, last year. I am not at all sure that the hon. gentleman was acting within his right in then bringing up the subject. I do not really know his object in doing so—whether it was to find fault with the Government, or with some speech, or with the Lord Mayor of Dublin and the Duchess of Marlborough, or with the New York *Herald*, or with any or all of them. But

the circumstances of the case are quite clear, and I do not think that, so far as the Government are concerned, that they are obnoxious to any charge of neglect, or of omission to perform their duty with reference to that vote passed unanimously last Session. The hon. gentleman tried to find fault with the Government, for he said, in the first place, that there had been great neglect—that the vote of \$100,000 to relieve the suffering Irish passed on the 20th February, and actually the money was not transmitted till the 26th—that five days were allowed to pass. Now the fact of the vote could not well be communicated to the Governor-General till the next day. The hon. gentleman has looked at the papers for the purpose of making an attack, but if he had examined them carefully he would have seen that, immediately on the vote being past—the moment after—instructions were sent to Messrs. Glyn and Baring to pay over the money to the Colonial Secretary. Hon. gentlemen may remember that the vote was asked for, in the first place, in consequence of an allusion to it, and a recommendation calling attention to it, in the Speech from the Throne at the opening of the Session. That was addressed to Parliament, the Senate as well as the Commons. On the 20th February a special Message was sent down, and a vote of the House asked for. The moment it passed a telegram was sent to our agents in England, asking them to inform the Colonial Minister that the money was at the disposal of the Colonial Office for the purpose in question. But if the hon. gentleman will look at the journals, he will see that the Upper House had a right to be consulted as to that vote, and that they were so consulted. Though the hon. gentleman may not remember the circumstance, I remember that there was understood to have been complaint that the Upper House were likely to be ignored in the matter. On the 24th February the Address was passed and sent to the Senate for its concurrence, and it became a joint Address from both Houses. The hon. gentleman read a passage from his speech of last year, in which he expressed the suspicion that the Colonial Minister would not act correctly, or according to the wishes of this House and Parliament with reference to this vote. All I can say is that it was stated by myself in the House, after the vote, that the Government would transmit the money if the House so ordered to the Colonial Minister. The Colonial Minister was a responsible man; he could consult with his colleagues, and especially the Secretary of State for Ireland, he must have known the circumstances better than we, and we thought we would place the money in his hands and hold him responsible. The House sanctioned that course, contrary to the opinion of the hon. member for Gloucester (Mr. Anglin), but I think, in accordance with the expressed opinion of the hon. member for the west riding of Durham (Mr. Blake). The money was transmitted; and it is quite true that in the debate it was stated by the hon. gentleman—and by others I dare say—and assented to by myself, that the money should be transmitted for the immediate relief of the suffering people of Ireland. It was also stated that the money should be so appropriated that the recipients should not in any way be regarded as paupers and deprived of their elective franchise. The address was sent to the Senate on the 25th, though the formal notice was not transmitted until some days afterwards. On the 26th His Excellency the Governor General sent a telegram which the hon. gentleman has read:

"OTTAWA, 26th February, 1880.

"To the Secretary of State for the Colonies:

"The Canadian Government have placed \$100,000 at your disposal in the immediate relief of Irish distress. Mayor of Dublin asks for distribution. Perhaps you would wish a portion to be distributed by him. This is left to your discretion, with request that money distributed shall not deprive recipients of franchise.

(Signed) "LORNE."

I think that despatch plainly expresses the wishes of Parliament with regard to the purpose to which the money

was to be applied. On the 27th His Excellency transmitted a copy of the Address of both Houses:

"The Marquis of Lorne to Sir M. E. Hicks-Beach.

"OTTAWA, 27th February, 1880.

"Sir,—I have the honor of forwarding to you a copy of an Address which has been presented to me by the Senate and House of Commons of Canada, expressing deep sympathy with the Irish people in their great destitution, and granting to Her Most Gracious Majesty the sum of \$100,000 for the relief of the sufferers.

"The substance of this Address was communicated to you in my telegraphic message of yesterday's date, a copy of which I now enclose.

"I have, etc.,

(Signed) "LORNE."

"The Right Honorable

"Sir M. E. Hicks-Beach, Bart."

Thus, then, so far as this Government was concerned, they carried out the wishes of Parliament in transmitting the money to the Colonial Secretary for the immediate relief of the Irish sufferers, and intimating at the same time that the Mayor of Dublin had asked for the distribution of the money and that it was left to his discretion. On the 5th March, the Secretary of State to the Colonies addressed the following Message to His Excellency:—

"Received at Ottawa, 5th March, 1880.

"From the Secretary of State for the Colonies:

"With regard to Canadian grant towards the relief of distress in Ireland, will your Government decide whether it should be given to Marlborough Fund, or divided between that and the fund of the Mayor of Dublin? The first has received large contributions here, the second has received all the Australian contributions."

It is well known that there were these two great funds—that of the Duchess of Marlborough and that of the Lord Mayor of Dublin, two separate and distinct funds, and it was very obvious that it was the wish of the Colonial Minister that he should not undertake the responsibility of distributing the money, but preferred that it should be undertaken by these two well organized benevolent bodies. Our answer was quite in accordance with the feeling of the House, and we concluded, of course, that the money would be distributed between these two funds. We were not informed, but we presumed that having expressed ourselves as we did they would be satisfied with the distribution of the money being divided between them. The next communication is a telegraphic message from His Excellency to the Colonial Minister:

"OTTAWA, 6th March, 1880.

"To the Secretary of State for the Colonies:

"6th. My Government are desirous you should distribute fund. Will be perfectly satisfied if you divide \$100,000 between Marlborough Fund and Mayor of Dublin.

Signed) "LORNE."

The hon. gentleman says there is an allusion to a despatch, and an answer from the Canadian Government

Mr. ANGLIN. A telegram.

Sir JOHN A. MACDONALD. That telegram was not communicated to us, except confidentially. His Excellency of course received a telegram, and subsequently a letter, both marked confidential, containing matters which the Colonial Secretary considered were confidential between him and the Governor General. It was communicated to us in confidence, and of course being confidential it cannot be brought down, and I may also say it would answer no good purpose to have it brought down. The Colonial Minister invited the two funds to consider together, by the formation of a Committee, as to the appropriation of the money, and as will be seen by his letters, both to the Duchess of Marlborough, he made certain suggestions. He says in his letter to the Duchess of Marlborough:

"I do not desire in any way to limit the proposals which, after full consideration of the circumstances, a body constituted as I have suggested might be disposed to make, but I may observe generally, that I think it would be satisfactory to Canada, as well as to Ireland if this money were so applied, as not only to relieve the immediate necessities of the moment, but also to secure some lasting benefit to the public."

That was altogether his suggestions, but at the same time he told the Committee that he did not desire in any way to limit them. As appears by the papers, the two funds I have referred to joined with the New York *Herald* fund, which was raised through the exertions of the proprietor of the New York *Herald*, and it was arranged—and it was a sensible arrangement—that these three funds should each have representatives on the Committee which was to divide the money. Afterwards we were informed, as will be seen by the papers, what arrangements were made. All I can say is that we did all we could. We sent home the money for immediate relief, and the Colonial Minister divided it among these three funds. I am quite satisfied that these people, all living in Ireland, and all on the spot, are much better judges of what should be done with the funds than we possibly could be. But, at all events, all this happened without our knowing anything about it. We sent home the money for the purpose of immediate relief, and to be applied in the discretion of the Minister. He made all these arrangements. We were satisfied that the funds were divided between the Duchess of Marlborough's fund and the Lord Mayor's fund. That is all we had to do, and I have no doubt the result was that the money has been applied in the manner which was most beneficial, not only for immediate relief, but for the permanent relief of the sufferers, so far as the money would go. You will observe, Sir, that both the Lord Mayor and Her Grace expressed the strongest thanks, and desired that the strongest thanks should be conveyed to Canada for the munificent gift which had been of so much service.

Mr. BLAKE. I think there can be no doubt whatever that the intention of Parliament in making this grant has been partially frustrated. As my hon. friend from Gloucester (Mr. Anglin) said in the course of the debate which resulted in making the grant, there was a possibility of danger, and my hon. friend suggested that that danger would be obviated by our determining upon a particular channel for the transmission of the funds. The hon. Minister proposed that the channel should be the Colonial Secretary, and I agreed that that was the appropriate channel. But I differed with the hon. gentleman if he intended—and I do not think the House understood that he intended it—to invest the Colonial Secretary with entire discretion with the distribution of this fund. In the few observations I made I distinctly pointed out the possibility of such an application being made as has been made, and I pointed out that that would be contrary to our intention. I said :

“I think there was a good deal of force in the observations of the hon. member for Gloucester (Mr. Anglin), though I quite agree myself with the course the Government proposes to take as to the channel through which this fund should be forwarded; but it appears to me that, having regard to the purpose which animates us, it would be well that it should be indicated in the communication in some way, that, while we send it through the Secretary of State, the design is that it should be intrusted for distribution to such persons as they think proper, to aid in those efforts which are being made in Ireland. We know the Imperial Government is taking certain measures of its own which, in their nature, cannot produce results so rapidly as this contribution may, if promptly used, and if the circumstances of the case require that it should be immediately used, I hope the intention I have indicated will be made clearly to appear; and that our contribution will not be made part of any scheme for indirect relief propounded by the Imperial Government.”

Now, I say that what has been done with this money has been to make it part of a scheme for indirect relief propounded by the Imperial Government. A large portion of it has been spent in building piers and breakwaters. Some portion of it has been spent, I presume, in buying fish nets and boats, according to the scheme of indirect relief propounded by the Imperial Government. When I suggested this danger, the right hon. gentleman said :

“I quite agree with the remark of the hon. gentleman, and it is the intention of the Government, having obtained the sanction of the House, to use the cable immediately for the purpose of informing Her Majesty of this grant, and requesting that it should be applied for the immediate relief of the poor in Ireland.”

Sir JOHN A. MACDONALD.

Those were the words of the right hon. gentleman, but they were not strong enough. Nor did the right hon. gentleman give us all the information. He says there is a confidential despatch and that, unfortunately, he cannot bring it down. He intimates mysteriously that it would not serve a good purpose to bring it down, so that we do not know what was said at an early stage of the Session about this fund. I do not know whether the despatch of the Lord Mayor was confidential too, but as it is not brought down I suppose it must also be a confidential state paper. The Order in Council is not down. Why is not that down? Why should we not see that? What we find is, that instead of an indication that the Secretary was to be the channel, and that the fund was to go to Ireland to be used for immediate relief, we find the statement about immediate relief, it is true, and repeated declarations that the Secretary is to have discretion in the distribution of the money, but all this is contrary to the expressed intention of Parliament. We find a communication that he exercised that discretion, and we find a disapproval instead of an approval of that exercise of discretion. The result is that while we said we wanted to send this money over so that it might be used to feed the hungry and starving at once and immediately, while we pointed out that it might be used for some scheme of indirect relief unless proper precautions were taken, we find that it really has been used for this indirect purpose against which we wished to guard.

Mr. ANGLIN. I think the hon. gentleman should bring down the Order in Council at all events, as that would enable us to judge for ourselves what the Government did, and whether we approve of it or not.

Mr. MILLS. It is clear that the Colonial Secretary suggested a use of this fund which the Government must have known was contrary to the intention of Parliament, and yet it seems the Government had not the courage to tell him so. It is scarcely fair to the House to tell us that a communication relating to a distribution of money which Parliament had voted for a particular purpose, is a document of such a confidential character that it cannot be communicated to this House. I do not think that is a sound position for the hon. gentleman to take. No communication relating to the distribution of money voted by this House, and for which the Ministry are responsible, can be constitutionally withheld from Parliament. It is our right to know how far the Imperial Government were disposed to apply the money to other purposes than those for which it was voted, and we have a right to know how far the hon. gentlemen have exonerated themselves from their responsibility in the matter by protesting against this misapplication of the money. We have nothing before us to show that they did protest. On the contrary, what has been revealed tends to show that they actually approved. The First Minister shakes his head. Well, he spoke here for twenty minutes on this subject, and he said nothing that would indicate his disapproval of what was done. It does seem to me that the right hon. gentleman has not had the courage to protest against the misapplication of the money; that he scarcely dare say that his soul is his own in this House in any matter relating to the conduct of the Colonial Minister. I say he ought to have communicated frankly to this House, everything relating to this matter, and if he felt this money was being misdirected he ought to have said so directly.

Sir JOHN A. MACDONALD. The hon. gentleman says no paper can be confidential.

Mr. MILLS. I did not say so.

Sir JOHN A. MACDONALD. He says that every paper, whether confidential or not, should be sent down here.

Mr. MILLS. All that relates to the expenditure of public money.

**Sir JOHN A. MACDONALD.** The hon. gentleman knows that there are many papers of this nature that cannot be brought down without the consent of the Governor General, and that the Governor General cannot bring down without the consent of the Colonial Secretary.

(In the Committee.)

112. Harbors and Rivers (Nova Scotia). ..... \$38,400 00

In answer to Sir RICHARD J. CARTWRIGHT,

**Mr. LANGEVIN.** This property at Cow Bay, for which \$6,000 is asked, was purchased from Mr. Archibald a good many years ago. This sum is to repair damages caused by a storm. Unless these repairs were made the whole works would be carried away. The \$1,100 for Indian Island Beach is to complete the opening of a channel between the two outer islands for the passage of fishing boats, so as to save them the trouble and danger of skirting the islands. For Brooklyn and Herring Cove, \$10,000 is taken in order to protect the woodwork from the ravages of the sea worm. Since 1872, \$58,881 has been expended at that point. The vote of \$2,300 for Hampton is to extend the present breakwater, and for repairs thereto. With regard to the vote of \$8,000 for Great Village River, Londonderry, the river there is very circuitous, being in the shape of a double S, and it is intended to make a cutting at the first part of the first S, and another at the latter part of the second S, so that there will be almost a straight channel from the upper part of the river to the lower. Two small dams will also be made in the bends of the river. \$4,000 is taken to raise the present bar at Mabou from two feet to three and one-half feet.

113. Harbors and Rivers (P. E. I.) ..... \$38,500 00

**Mr. LANGEVIN.** The vote of \$1,500 for Miminigash breakwater is to complete the repairs there, and to renew the crib-work and shore works constructed in 1875-79, at a cost of \$4,000; the engineer reports this to be absolutely necessary in order to insure the safety of the works in that locality. \$8,500 is taken to complete the works at Tignish.

114. Harbors and Rivers (New Brunswick) ..... \$70,090 00

Sir RICHARD J. CARTWRIGHT asked if \$35,000 would complete the breakwater at Negro Point.

**Mr. LANGEVIN** replied that was only half the amount that would be required.

**Mr. ANGLIN** asked if the hon. Minister intended to appoint the same superintendent for Shippegan harbor next year.

**Mr. LANGEVIN** replied that he intended having another superintendent.

**Mr. ANGLIN** drew the hon. Minister's attention to an advertisement issued by the present superintendent calling for supply of material. He was glad to hear the hon. Minister's intention. An impartial officer should be sent from the department to superintend the work, as it was exceedingly difficult to get one at the place where the truck system was in vogue, and the stores the men got in exchange for their labor were charged at exorbitant rates, \$1 a gallon for molasses, \$1 a pound for tobacco, as high as \$12 a barrel for flour, and other goods in proportion. The step taken by the hon. Minister, on representations from him (Mr. Anglin), of sending a paymaster down last year was a very wise one, but several of the men had previously run into debt for stores.

**Mr. LANGEVIN.** Those men will be paid every week or second week, and the storekeeper will not be allowed to make profits out of their earnings. The men's earnings are their own, and they have a right to do with them what they think proper. So soon as I knew this practice prevailed, I

stopped it, by sending a paymaster to pay the men. That is what is done in all the works, because the Government is quite able to pay their men as the works proceed, and we want the men to have the full benefit of their earnings and not the speculators.

In answer to Sir RICHARD J. CARTWRIGHT,

**Mr. LANGEVIN** said: The item of \$2,000, which appears in the items for River Tobique and River St. John, is for the purpose of continuing the improvements on those rivers, and removing boulders and obstructions in the channels. \$2,000 were invested for the erection of a beacon at St. Andrew's harbor, and to defray the cost of repairs to the beacons. \$1,500 were required for the construction of a breakwater at Quaco harbor. \$5,000 would also be expended on building a wharf and cribwork at Cocaigne.

115. General repairs and improvements, Harbors and Rivers, Maritime Provinces generally....\$10,000 00

**Mr. BURPEE** (Sunbury) asked whether any portion of this \$10,000 was to be expended on the Oromocto shoals in the St. John River?

**Mr. LANGEVIN.** The question was initiated by me lately, a month or a month and a half after having had the matter before me during the summer. I was, however, not satisfied with the information obtained at that time. If public business will allow me during the summer to go down there with the departmental Engineer, I will examine the matter and gather information on the spot. The country has expended money there year after year, and I believe the result has not been such as was expected in the first instance. Under these circumstances I do not intend to ask a special vote for that purpose. Then I will be in a position to advise the Governor in Council in the matter. If it is not the same dredging as required, we shall be able to take it out of this vote.

**Sir ALBERT J. SMITH.** Have the Government come to any decision in regard to an appropriation to assist in the improvement of the harbor of Moncton?

**Mr. LANGEVIN.** The matter is still under consideration.

**Mr. ROBERTSON** (Sheburne). Does the Minister of Public Works propose any expenditure for the repair of the Gordon Bay breakwater in the county of Sheburne?

**Mr. LANGEVIN.** I have not been able to decide, as yet, whether I shall submit an item to my colleagues, in the Supplementary Estimates, for this purpose. It is still under consideration.

116. Harbors and Rivers (Quebec)..... \$112,550 00

Sir RICHARD J. CARTWRIGHT. What is the item of \$1,000 for New Carlisle for?

**Mr. LANGEVIN.** It is required for a breakwater at that port. But it is not enough to undertake the work with, and most likely we may ask a small additional vote to enable us to go on with the work. That is the reason the vote for this purpose was not used last year.

Sir RICHARD J. CARTWRIGHT. What is intended with regard to the item of \$2,500 for Carleton, the locality providing \$2,500 also?

**Mr. LANGEVIN.** It is for the completion of the breakwater, 200 feet long by 160 wide.

**Mr. ANGLIN.** From my knowledge of the place and its people, I believe you will find it exceedingly difficult to get the money they promise, as they are mostly poor fishermen. It is hardly fair to expect them to pay the amount. No doubt in their eagerness to get the breakwater they will promise much, however.

**Mr. LANGEVIN.** As a rule in such cases, I do not exact from the people the money. I ask them, for instance, to give us the stone or timber, and to work at half price, to

make up their contribution which, made in this way, they do not feel much. This burden was not imposed on them. Should there be any failure, as suspected by the hon. gentleman, we shall simply have to come before Parliament again. The \$7,000 which we asked for Grosse Isle last year was not found sufficient to complete the work, but we expect that the \$2,500 we are now asking will complete it.

Sir RICHARD J. CARTWRIGHT. With regard to the item for the removal of chains, anchors, and boulders from the St. Lawrence, I should like to ask what sum has been realized from the sale of the chains, &c ?

Mr. LANGEVIN. About \$9,000 altogether. The item Etang du Nord, \$8,000, is to complete a breakwater. The item Rivière Onelle is to raise a pier, as at present the water passes over it. At Trois Pictoles there is no landing place, and this amount is asked in order to get a small block of land. At Isle-aux-Grues the water is so shallow that the vessels cannot reach the pier except at high tide, and the grant is asked for the purpose of extending it. The \$5,000 asked for the River Saguenay is for the improvement of the channel below Chicoutimi, by the removal of boulders, slabs, sawdust, &c.

Sir RICHARD J. CARTWRIGHT. Is the Act, with regard to the removal of sawdust, enforced on the Saguenay ?

Mr. LANGEVIN. Yes. The item of \$4,000 for the enlargement of La Grande Décharge from Lake St. John is asked for this purpose, because for some reason or other large bodies of water overflow the lands in the neighborhood at certain seasons and the people are threatening to migrate. We hope to prevent this flood by some cutting at the outlet.

Mr. BLAKE. That is what is being done with reference to Lake Simcoe, in Ontario, but I do not know whether any vote is asked for that purpose.

Mr. LANGEVIN. My attention has not been called to that work, so I presume it has been done by local effort.

Mr. BLAKE. Is it supposed that this work at Lake St. John will add materially to the value of the land ?

Mr. LANGEVIN. It will, at all events, prevent the people from removing.

Mr. BLAKE. Of course the case of Lake Manitoba is different, as we own the lands there while we do not own them in Quebec and Ontario.

Mr. LANGEVIN. It is the same as appropriations for piers and breakwaters. We have to look after the general interest of the people who contribute to the revenue, and the people who live near Lake St. John have not the advantage of railways and other facilities for communication which are enjoyed in more thickly-settled communities. We have, therefore, to look after their interests in another way, namely, by preventing the inundation of their land.

Mr. BLAKE. We deal with piers and harbors because they are within our jurisdiction. This work, as I understand, is for grading a lake ?

Mr. LANGEVIN. No; it is for enlarging an outlet, so as to prevent the drowning of the land in the spring.

Mr. BLAKE. It has nothing to do with navigation at all. It is for the purpose of preventing land from being navigable.

Mr. LANGEVIN. The grant of \$6,000 to Baie St. Paul is for an extension of a pier there. The local authorities contribute \$3,000. The grant of \$1,500 to Les Ecureuils is for the purpose of building a small pier to accommodate two or three parishes in that neighborhood. It is a solid pier filled in with stone from near the outlet of the River Yamachiche. The Beaver Lumber Company offered to furnish the lumber if the Government would construct this

Mr. LANGEVIN.

work, and the offer was accepted. \$15,000 are asked for a harbor of refuge at Rivière Nicolet. It appears that, in that neighborhood a large number of rafts and vessels have been wrecked, but by erecting a harbor of refuge at the mouth of the river much property and a large number of lives would be saved.

Mr. LAURIER. I understand that the Nicolet River is not navigable, except in the spring, when the water is high. I question very much whether the harbor can be of any use whatever in summer.

Mr. LANGEVIN. The harbor of refuge being at the mouth of the river, when these piers are built the question of dredging will come up, in order to make the river navigable for a considerable distance. We ask for \$5,000 for the improvement of the steamboat channel between Montreal and Lake St. Francis. There are boulders and other obstructions in the bed of the river which obstruct the passage of steamers and other small craft. We have received a petition to have these obstructions removed, and this is an answer to the petition. The \$4,000 asked for improvements between Bristol and Portage du Fort, is for the purpose of blasting rocks out of the River Ottawa, at the head of Snow Rapids. A vote of \$15,000 is taken to improve the navigation of the River Yamaska for a distance of twenty-five miles from Lake St. Peter, so as to render it navigable, at low water, for vessels drawing five or six feet of water. \$18,000 or \$20,000 more will be required to complete the work.

117. Harbors and Rivers (Ontario) .....\$91,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. LANGEVIN. The work in the Cobourg harbor, for which \$10,000 is now asked, was begun nine years ago. This vote is for the further prolongation of the western pier, to protect the harbor from storms and drifts of sands, and the prolongation of the eastern pier to a depth of twenty-four feet at low water. This work was undertaken to make a harbor of refuge. We shall afterwards have to continue the eastern pier to the entrance of the harbor, in order to leave between the two piers about 400 feet.

Sir RICHARD J. CARTWRIGHT. Are the corporation paying a part ?

Mr. LANGEVIN. No; they made a large expenditure before.

Sir RICHARD J. CARTWRIGHT. What depth of water is secured inside ?

Mr. LANGEVIN. Inside the western pier there are sixteen, seventeen, twenty and twenty and a half feet; inside the eastern pier, after the works to be built with this vote are completed, there will be thirteen, fifteen, sixteen, seventeen and twenty-one feet; and at the entrance there will be twenty-four or twenty-five feet of water.

Mr. MILLS. I observe that the hon. gentleman has not this year asked for a vote for Morpeth harbor. This harbor was in 1876 surveyed and reported on by Mr. Kingsford and another engineer. The locality contributed \$4,000, and placed it in the hands of the Administration, and under the late Administration an appropriation of \$15,000 was obtained. Tenders were advertised for and received, and the contract, I think, was to be let about the time we retired from office. When Mr. Mackenzie's successor, the present Minister of Railways, came in, he stated that under the existing state of the finances, the construction of this work would have to be postponed. I asked him if it was the intention of the Government to go on with the undertaking when the state of the finances permitted it, and he said it was. Last year the hon. gentleman obtained an appropriation of \$6,000 for the work; but up to this moment, no expenditure has taken place, although the

\$4,000 contributed by the locality is still in the hands of the Government. I should like to know if the hon. gentleman intends to go on with this work.

Mr. McCALLUM. This expenditure would be entirely thrown away. It would not be possible to make a harbor of refuge there for less than \$200,000.

Mr. MILLS. I have resided in that locality all my life, and have had a better opportunity of knowing it than the hon. gentleman. The engineer reported that for \$40,000, of which the locality proposed to contribute 25 per cent., a harbor, not only for commercial purposes, but for the purposes of a refuge, could be constructed there, and I am induced to regard the engineer, so far as that is concerned, a better authority than the hon. gentleman. A very large expenditure has taken place at Rondeau; but it is at a considerable distance from the shore, and vessels cannot leave there until there is a wind off the land. When the hon. gentleman says there is no place, he does not know the country. Within a radius of ten miles there is a population of nearly 25,000.

Mr. McCALLUM. I do not dispute that there is a population there, but when the hon. gentleman talks to me about harbors I can tell him that I have built as many harbors as most men in this country, and I am a pretty old man now. To spend \$14,000 or \$15,000 on that shore, it would be of no use whatever, as far as getting a harbor of refuge for vessels is concerned. It may be an advantage to the municipality, but would be of no use for shipping as a harbor of refuge. I have always opposed that vote in order to have it spent where it would be of use to vessels. I trust before he brings down the Supplementary Estimates, the hon. Minister will bring down an amount to build a harbor at Pigeon Bay, and not expend money at Morpeth harbor.

Mr. MILLS. The hon. gentleman had nothing to say against the vote for the purpose of draining lands in the immediate vicinity of Lake St. John. The hon. gentleman does not suppose shipowners will have any particular interest in that matter. If this House is prepared to act on the principle that no money shall be contributed towards a harbor improvement, except with regard to a harbor of refuge, we can understand the position taken by the hon. gentleman, but that is not the principle on which the House has hitherto acted. The farmers pay taxes as well as shipowners, and the facilities afforded them for shipping their farm produce is a matter of as much consequence to them as facilities to those who have shipping afloat. Harbors that will both serve the purpose of harbors of refuge and commercial harbors are entitled to the consideration of the Government. I am not discussing the relative merits of this point and Kingsville, Essex, to which the hon. gentleman has referred. I think a harbor there would be advantageous; but so is this Morpeth harbor. The hon. Minister of Public Works has made an appropriation to improve the channel between Rondeau harbor and the coast. If the hon. gentleman proposes that no such appropriation should be made, he should have voted against it; but as the constituency in which the harbor is situated is represented by a Conservative, the hon. gentleman has nothing to say. With regard to Morpeth harbor, the Chief Engineer recommended it, the late Prime Minister approved it, the present Minister of Railways approved it, the Minister of Public Works has made an appropriation for it; the hon. gentleman must therefore admit that the question is, to some extent, settled as to whether there ought or ought not to be a harbor there. I repeat my question as to whether it is the intention of the hon. Minister of Public Works to expend the money voted last year on this work, and ask for a further appropriation this year.

Mr. McCALLUM. The hon. gentleman finds fault with me because I did not oppose the appropriation for Lake St.

John. I do not know but that it will be in the interest of the country if it is going to keep the lands of the people from being overflowed. This is the first time I heard the hon. gentleman say that Morpeth harbor was not a harbor of refuge. He wants now to get the appropriation for commercial purposes. It is not in the interest of the country to spend money there, when we have spent so much within twelve miles of it. He says, further, that the Minister of Public Works will put an item in the Estimates to make a channel through some shallow water to the shoals, away from the coast. I did not understand the money was to be so expended, but understood that it was to be spent on Rondeau harbor, in order to enlarge the basin so as to allow vessels to ride at anchor. I know that is the intention of the Minister. Rondeau harbor is filling up with sand, the basin not being near so large as formerly, and it will be necessary to enlarge it inside. If the Government have not proposed enough money for that service this year, they will have to do so next year. It is said the farmers want a harbor there. I have shown the House that this place is only six miles from a railway station. I do not think the Government should spend money in order to help the hon. gentleman opposite to secure his election next time.

Mr. ARKELL. Though the hon. member for Bothwell has represented his constituency many years, I believe that while a member of the late Government he never got a dollar appropriated for this work, yet he lives close to Bothwell. His constituents have complained that they could not get him to expend a dollar for the improvement of that harbor.

Mr. MILLS. The hon. gentleman is quite mistaken, as the Estimates for the last year that we were in office will show.

Mr. ARKELL. Was the money ever spent?

Mr. MILLS. No; a sum was voted by the House on the condition that a certain appropriation should be made by the locality, but the by-law was not carried till the summer of 1878. In the first instance it was contested for some irregularity, and was submitted to the people again and voted upon. As soon as the by-law was carried, an advertisement was inserted in the *Gazette* and other papers, calling for tenders, which were received. The contract was not let, simply because the late Government were defeated about the time the tenders were received. Messrs. Jackson and McMichael, from the vicinity of Rondeau, informed me that the Minister of Public Works had promised an appropriation for the deepening of the channel from this harbor to the shore of Morpeth harbor, to be used for commercial purposes. That is a proper expenditure in the interest of the country, as would be also the expenditure suggested for Morpeth harbor.

Mr. ARKELL. Though the money was put in the Estimates for Rondeau harbor, for three or four years, not a dollar was expended. A few days before the last elections an engineer was sent up to make a survey, an action that looked very suspicious.

Mr. LANGEVIN. The reason why this amount, though put in the Estimates last year, was not expended was, that it was a question with the department whether the vote would attain the object in view. We intended to make this a harbor of refuge, which it was thought could be done for a reasonable sum. It was found the pier built by the municipality could not be made useful, and that it would be but squandering public money to try to add to it a work of our own. The existing work will have to be renewed altogether. The Chief Engineer of the department states that a mere wharf—not a harbor of refuge—would cost \$30,000, and a harbor of refuge at least \$100,000. We have not asked Parliament for such a sum, because we cannot undertake a work of such magnitude before we are

sure it would not cost \$150,000, and before we can see that the work would be of such utility as would warrant our asking Parliament to vote so large an amount. As to the Rondeau harbor, the item in the Estimates is to cover the contract with Mr. McNamee. For the construction of a pile-protection work on the west side of the entrance to the harbor, \$2,000 is voted. The amount of the contract is \$13,000. Deducting \$6,000, the appropriation of 1880-81 will leave \$7,000; superintendence and contingencies, \$1,000, making in all \$8,000. The pile-protection work will be semi-circular, and close an entrance or gap that prevents the harbor from being as useful as it should be.

Mr. MILLS. Am I to understand that a portion of the appropriation is to be applied as Messrs. McMichael and Jackson supposed?

Mr. LANGEVIN. None of it. The matter is still under the consideration of the Government.

Sir RICHARD J. CARTWRIGHT. As this is a very important harbor, I would like to know the state of the belt of wood that one time existed near and sheltered that harbor. Has it been preserved?

Mr. LANGEVIN. I am informed by the Engineer-in-Chief that it has been preserved on each side of the harbor.

Mr. DAWSON. Last year there was an item of \$10,000 for the deepening of the channel at Little Current. It was not expended, and I see it still put among the estimates of last year. It will be expended, I presume, because the work is very necessary at Little Current. The vessels used in that part of the country are of much greater draught than formerly, and this is the only shallow point on the lake for 250 miles, between Collingwood and Sault Ste. Marie. The deepening of this channel would render it available for the larger class of vessels that ply in those waters at present.

Mr. BEATY. With regard to the item of \$12,500 for Toronto harbor, I would like to know whether the sum of \$5,000 voted last year for the examination of the harbor, to determine what is necessary for its preservation, is still to be used—whether it is proposed in addition to this \$5,000?

Mr. LANGEVIN. It is in addition to the \$5,000 of last year. That vote is available, and will be used for the purpose of obtaining an examination of the harbor. Up to the present year the entrance to the harbor was by way of the Queen's wharf towards the other end of the harbor. It had a width of perhaps 250 feet, and the depth of the water was only fourteen feet. That depth was found insufficient, and the cry all round was: "Give us a deeper channel." We found that in order to deepen it we would have to make cuttings out of very hard rock, and necessarily at a great expense. My engineers made an examination and survey of the harbor, and they found that the channel made a sort of semi-circle, and that if, instead of continuing the dredging where it had been going on, the work was done at the other end of the semi-circle, a much deeper channel could be obtained. They found that the sand and other materials between the new and the old channels would disappear and leave a basin which would afford ample harbor accommodation. It is with that view that the work is now being carried on with very perceptible advantage over the work of previous years. I do not blame previous Governments for carrying on those works, as they were proper works to be done; but we have found that better navigation can be secured in another direction. It is the intention to have a thorough examination of the harbor, after the engineer who will be entrusted with the work has examined all reports which have previously been made on the subject, and he will then make recommendations as to the best means of preventing the destruction of the harbor by the

Mr. LANGEVIN.

gradual washing away of the island. The engineer who is charged with this duty is Captain Eads, an engineer of high eminence in the United States, in connection with works of this kind. It was under his direction that the mouths of the Mississippi River which were formerly so shallow that large vessels could not enter, has been so improved that the largest vessels can enter the river. At present Captain Eads is in consultation with the Mexican Government upon important works, but immediately after his return he will devote himself to an examination of the various reports which have been made upon Toronto harbor. The hon. gentleman may be assured that this matter has not been lost sight of. I consider it one of the most important works in my department, and one which must not be undertaken without the fullest investigation and favorable reports from the best engineers.

Mr. POUPORE. How is it that the item granted last year, of \$8,000 for a bridge at Des Joachims Rapids, has not been revoted this year? It is not expended yet, and may not be expended before the 30th of June next.

Mr. LANGEVIN. The Ontario and Quebec Legislature have granted votes for this bridge, and the Quebec Government have already put their vote at our disposal. The Ontario Government, with commendable prudence, no doubt, have thought better to wait until they saw our plans. I do not find fault with that; they have voted the money and they want to know what is going to be done with it. Therefore I have caused plans to be prepared and forwarded to them, and I am expecting an answer every day. I have no doubt they will soon place the money at my disposal, and I shall call for tenders and the work will be proceeded with. My engineers thought we might build the work without calling for a re-vote. That question is now to be considered for the Supplementary Estimates, and if we find there is no risk in that direction we may ask for a re-vote of the whole or a portion of the money. I will now answer the question of my hon. friend for Algoma (Mr. Dawson), since I had not the information when he asked the question. For Little Current we have expended \$2,500 last season, and the balance is to be expended this year. Therefore, we shall not require a re-vote. We are asking for \$5,000 for the removal of a reef in the River Ottawa below the Union Suspension Bridge. By removing this rock we shall get a better channel and prevent the current from injuring the wharves. We shall then have smooth water along the wharves where vessels may lay.

Mr. CAMERON (South Huron). In regard to the vote of \$8,000 for Goderich, I wish to ask a question. During last summer several engineers of the Department of Public Works were making a survey of Goderich harbor. Was the object to extend the north pier with a view of preventing the filling up of the harbor which takes place every year? I would also like to know if the engineers have made a report.

Mr. LANGEVIN. The engineer I sent there was Mr. Gray, and he has made his report. This vote is in consequence of information we have about this harbor. We intend to put in another pier which will prevent the beach, and consequently the harbor, from being destroyed, as it has been lately.

118. Harbors and Rivers (Manitoba). . . . . \$12,000 00

In answer to Mr. SCHULTZ,

Mr. LANGEVIN. The \$7,000 for the mouth of Red River, is for the purpose of dredging the channel to the width of forty feet and to a depth of eight feet below the mouth of the Red River, the said channel to be cut for a distance of half-a-mile across the bar.

Mr. RYAN (Marquette). I see there is an estimate of \$4,000 for the examination of the question of overflow in

the Fairford and Partridge Cross River. It would be more satisfactory to the people whose lands are inundated to have the work actually done.

Mr. SCHULTZ. I understand that the Local Government had, either concurrently with the Dominion Government, or on their own account, made an examination of this matter last summer. If that is the case, it seems to me the vote of \$4,000, slightly increased, would go very far to remove the obstruction at Lake Winnipegosis, which is doubtless the cause of the overflow.

Mr. LANGEVIN. This is a very important question for that region; but we cannot rush into the expenditure without being sure of what we are doing. The Chief Engineer estimates the cost of removing the boulders and other obstructions at \$80,000. This estimate includes \$34,000 for a dredge, a steam tug and three scows, which could be used again. In a work of such magnitude we require a little time to examine before rushing into the work.

Mr. RYAN (Marquette). If the examination should prove that, with a moderate expenditure, you could reduce the water level of the lake and prevent the overflow, would you be in a position to do so during the coming season?

Mr. LANGEVIN. No; we could not do so unless Parliament put the money at our disposal for that purpose.

119. Improvement of River Saskatchewan in North-West Territories ..... \$20,000 00

Mr. LANGEVIN. The improvements in that river will cost between \$31,000 and \$32,000, of which the Government will pay \$20,000, and the Hudson's Bay Company \$12,000, and we expect to obtain a depth of nine feet at high water, and between four and five feet at low water.

120. Harbors and Rivers (British Columbia) .... \$2,500 00

Mr. BUNSTER. It will be seen at a glance what injustice is done British Columbia by the small sum which is asked for these improvements. The paltry sum of \$500 is not sufficient for the work on Courtenay River; \$5,000 should be appropriated for that work.

Mr. LANGEVIN replied that was all the engineer estimated would be required to move the snags from that river.

122. Dredging ..... \$122,700 00

Mr. MILLS. I desire to ask whether it is proposed to take any portion of the appropriation of \$12,000 appearing under the head of Ontario, and devote it to dredging the north branch of the Sydenham River. The late Administration had dredged the east branch of the river. The dredge was then removed to Kincardine, in consequence of a storm having occurred, and it did not return to the north branch. Both rivers are naturally very deep streams in proportion to the width, and a large trade has always been carried on. A considerable quantity of timber has been sunk in the streams, and silt has collected; so that while formerly there was a depth of ten feet, it was now less than six.

Mr. LANGEVIN. The reason why the work was not proceeded with was that it could not be done by an ordinary dredge, which was unable to work among logs and slabs, packed as hard as rock.

Mr. MILLS. The use of a little dynamite would obviate the difficulty.

126. Miscellaneous ..... \$80,682 00

In answer to Mr. ANGLIN,

Mr. LANGEVIN. The hon. member for Gloucester will be glad to know that the breakwater at Grande Anse, Gloucester, has been repaired.

Mr. BURPEE (St. John). Will the item of \$5,000 complete the work at Fort Dufferin, Negro Point, New Brunswick?

Mr. LANGEVIN. Yes.

60. Brigade Majors, salaries, transport expenses, &c. \$14,400 00

Mr. ANGLIN. With regard to the item of \$14,000 for Brigade Majors, salaries, transport expenses, and so forth, I am told by competent authorities that dissatisfaction exists in connection with the removal of those officers from one place to another, which is stated to be wholly uncalled for, hurtful to the service, and expensive as well.

Mr. CARON. I think the principle is universally recognised in military matters, that it is a benefit so far as the efficiency of the service is concerned, to remove the staff from one station to another. This policy was adopted previous to my assuming charge of the Militia Department; but it is one I entirely approve of. It is to the advantage of the efficiency of the force to move those staff officers from one place to another. Of course it has involved some little expense, which I think was necessary in view of the benefits thereby secured.

Sir RICHARD J. CARTWRIGHT. Why has not the same been applied to the Brigade Major, in Toronto. It is very extraordinary, if I am correctly informed, that he has not been removed.

Mr. CARON. Colonel Dennison has been promoted to the rank of Adjutant-General and allowed to remain as such in Toronto.

Sir RICHARD J. CARTWRIGHT. That appears a very extraordinary proceeding. There were very great disorders in connection with that department in Toronto. It appears an extraordinary way of administering the service, that the officer under whose management, apparently, several of the Toronto regiments got into a very bad state, should be promoted. I suppose it is as a kind of reward for those disorders.

Mr. CARON. He is not solely responsible, because he was acting as Brigade Major at the time. One of the reasons why the department has not removed this officer from Toronto is that in a couple of years he will have attained the age at which his services will be dispensed with; and it was considered to be inexpedient to remove him for that short period, at considerable expense.

64. Drill pay and all other incidental expenses connected with the drill and training of the Militia ..... \$250,000 00

Mr. ROSS (West Middlesex). With regard to this item, I am very glad the hon. Minister has increased the expenditure for the drill of the volunteers, because a great deal of complaint was heard last year on account of a new arrangement in connection with their training. The rule adopted last year was to pay the men for only six days' work, though actually nine days on duty. I suppose the hon. Minister has taken this extra amount to enable him to pay the men on their way to camp and on their return, as well as for the Sunday in camp. The allowance made to the volunteers is a very small item in the whole expenditure upon Militia; it scarcely exceeds 25 per cent. of the amount which is spent for the maintenance of the force. I think it is a great grievance that these men who are called away from their ordinary avocations, at which they are, perhaps, earning from \$1.25 to \$2.00 per day, should be dealt with in a niggardly spirit. We know that large drafts have to be made upon the military enthusiasm of our young men, to keep the force in good order, and if they are dealt with, in a spirit of niggardliness, that enthusiasm will likely be diminished. I notice that Major-General Luard makes reference to that fact in his report. I have no doubt that the hon. Minister

is anxious to keep up the *esprit de corps* of the force, and treat the men kindly and liberally; and it certainly should be the policy of the House to treat them in that spirit, as some inducement to the men to leave their ordinary avocations to perform their military duties. Perhaps the hon. Minister will assure me that the policy of last year is not to be continued this year.

Mr. CARON. I quite agree with the hon. gentleman that we should offer every possible encouragement to our militia force, so far as the means at our disposal will allow. The increase in the proposed expenditure is a large one, and, perhaps, the Committee will allow me briefly to explain the changes which have taken place in the policy of last year. It is contemplated that there will be 20,000 officers and men and 1,500 horses to take part in the annual training for 1881-82, and 17,000 men in brigade camps during twelve days. During these twelve days, of course, the officers and men will receive rank pay for every day they are in service.

Mr. ROSS (Middlesex). Going and returning?

Mr. CARON. Yes; and of course the cost of transport, forage, and everything of that kind will be allowed. I have always considered that the system of having only four days' drill was really spending money after a most useless fashion; and I could not have made up my mind to ask Parliament for an appropriation for such a purpose. We know that when a lot of new men go into camp, it takes more than four days to give them even a conception of what drill really means. I consider that twelve days is really as short a time as we could allow with any reasonable expectation that the men would acquire military training, or with the hope of achieving something for the money we expend, and I was happy to be able to recommend this increase for the purpose of giving a longer drill than in former years. Moreover, it is contemplated, as I stated before, to have brigade camps for 17,000 officers, non-commissioned officers and men. It has not been altogether decided how many camps we will be able to have for the money which is asked from Parliament; but I think very likely there will be four in Ontario, three in Quebec, one in New Brunswick, one in Nova Scotia, and a battalion camp in Prince Edward Island. Three thousand men will be drilled at local headquarters, at the time most convenient to them. Those who take an interest in our volunteers know, that, for some of the city corps, it is a matter of impossibility for them to drill in brigade camps, for the simple reason that the season of the year at which such drill is held is so inconvenient for young men employed in banks and offices, that many of them cannot leave their occupations for twelve days' drill. I think we will be safe in allowing \$3,000 as margin for these men belonging to city corps, who will have their drill during the winter months, when they can afford the necessary time.

Mr. THOMPSON. How long will they drill?

Mr. CARON. Twelve days. The officers will be paid \$1 a day, and the men 50 cents. Those who drill in camps will receive the rank pay.

Mr. McCALLUM. I do not rise for the purpose of objecting to the vote, but there is certainly a feeling amongst the people that we do not get value for the money we spend upon the militia. The question among the people is, whether the volunteer system could not be better organized than it is at present. I am not speaking of my own feelings in the matter, but I have received several letters on the subject. I am quite certain that our volunteer system is not now so complete as it was in 1854, 1865 and 1866, though it costs the same amount of money. I have been urged to ask for the appointment of a Special Committee to inquire into the whole matter, and next year I may move for such a Committee. The feeling among the people is, that the

Mr. Ross (Middlesex).

volunteers get but a small portion of the grant, the bulk of it going to the staff. The people would not grudge the money if we got good value for it.

Mr. BUNSTER. We have two companies of volunteers at Nanaimo, and, year after year, they find fault with me for not properly representing their case to the Government. There are two towns about six miles apart—Nanaimo and Wellington—and we should have two drill sheds. I should like the hon. Minister to visit our Province and see what we require, as he did in regard to Manitoba last year. I believe when the Government come to know the importance of this district they will grant two drill sheds, one at Nanaimo and the other at Wellington. The property owners in those towns will give the sites for those buildings and probably contribute something towards their erection.

Mr. CARON. It would afford me great pleasure, if I could, to ask a sum of money to build a drill shed at Nanaimo, but the Estimates were already so considerable, and my hon. friend mentioned it to me so late in the Session, that I fear I cannot do so now. Besides, we should have first to communicate with the municipalities about it.

Mr. ROSS (West Middlesex). The force up there would scarcely require a drill shed. I notice that on the occasion of the inspection by the Deputy Adjutant-General, the force consisted of one officer and 16 men.

Mr. BUNSTER. That requires explanation. The captain of the company was against me in an election, but his men were for me, and they would not turn out. I pledge my word and honor there are two companies. There are 72 men in one and 68 in the other.

Mr. OGDEN. Could not the Government House be used as a drill shed? If there is but one officer and 16 men, perhaps the Governor would kindly take them into his back parlour. I know there are hon. gentlemen in this House who are aspiring to that position, and I know they would not refuse to give the Government House for that purpose.

Mr. BUNSTER. If the hon. member for Guysborough (Mr. Ogden) knows no better than to make a personal attack on me, when I have been so well supported by hon. members in this House, I shall consider it as a personal insult. If he wants to make an attack on me personally he can do it outside the floor of this House, probably he will find just as good game as he wants.

Mr. BLAKE. Let my hon. friend call out his volunteers.

Mr. BUNSTER. I am advocating the interests of men owning allegiance to the British flag. In asking for these drill sheds I know I shall have the assistance of the senior member for Victoria (Sir John A. Macdonald), because we have just as loyal men there as in any other part of the Dominion.

Mr. DAWSON. I think the militia force should be distributed over the whole country as fairly as possible. In the large district of Algoma, with a frontage of 900 miles, we have only one company, and I think we should be allowed one or two more. There is a company at Sault Ste. Marie, and 300 miles west of that, at Prince Arthur's Landing, Thunder Bay, we have good material for a company. In fact, the young men there have formed themselves into a company, and all they want is the necessary outfit. Again, a little to the east of Sault Ste. Marie and on the north coast of Lake Huron, there is a very considerable population and they are anxious to form a company there. On one part on the Manitoulin Island there is a dense population, and it would be but fair they should have a company. I hope these circumstances will be taken into consideration, and that, as far as they will permit, the people may be allowed to form companies.

Mr. CARON. It is well that there should be a redistribution of the force as far as possible. It would be useless

to attempt to increase the force. Out of the 42,000 men we can only afford to drill 22,000 men. My hon. friend has mentioned one locality where there should be a larger number of volunteers than there is now. I hope when the redistribution takes place it will be possible to afford an opportunity to the hon. gentleman to have in that locality a company of volunteers.

Mr. McCUAIG. I have received a communication from a gentleman who has taken a great interest in the success of our Rifle Association in my country. As it is short I will read it:

“PICTON, 2nd March, 1881.

“MY DEAR SIR,—At the annual meeting of the ‘County of Prince Edward Rifles Association’ held this day, I was requested to write to you to use your influence with the Government, to reduce the price of the ammunition used for target practice by rifle associations. The present price is \$16 per 1,000 rounds, and when freight and return freight on the boxes are added it brings the price up to \$17.50 per 1,000 rounds. In order to make good marksmen it is necessary that a good deal of practice should be had, but at the present price of ammunition it is very expensive. Our association expended last year over 26,000 rounds, costing the members over \$416; this is rather expensive; we think we ought to get it at about \$10 per 1,000, even should the Government lose on it. I hope you will use your influence in this matter and induce others to assist you and oblige,

“JAMES GILLASPIE,

“President County P.E.R. Association.

“J. S. McCuaig, Esq., M.P., Ottawa.”

Here is the account of the Rifle Association for the year ending March, 1881:

County of Prince Edward Rifle Association, in account with T. Bog, Sec.-Treasurer.

March, 1880, to March, 1881.

1880.	Dr.	
To Paid postages, telegrams, posting bills, &c....	\$ 5 50	
Books and stationery.....	1 50	
Printing and advertising, (by-laws, &c.) .....	32 25	
Material for flags, brushes, paints, &c. ....	18 93	
Markers and labor at butts.....	30 75	
Freight and cartage on targets.....	8 42	
Cartage to butts, &c.....	2 90	
Mrs. Owens for rent of garden.....	3 00	
Six markers and scorers, two days, Sept.....	18 00	
Irving & Downs, and Johnson for lumber.....	34 75	
Hugh Gaw and Ellis Grimmon.....	23 25	
Paid prizes, medals, and in kind, 24th May....	138 00	
Paid prizes in cash in September.....	231 00	
Ammunition.....	416 00	
		\$964 25

1880.	Cr.	
By Fees, 69 members.....	\$ 69 00	
Contributions for prizes 21th May.....	138 00	
Entries to matches, 24th May.....	17 50	
Sighting shots, 24th May.....	7 50	
Entries to match in September.....	59 00	
Sighting shots.....	36 30	
Government Grant.....	75 00	
County Prince Edward Grant.....	75 00	
Town of Picton.....	25 00	
Return freight on targets in September.....	2 92	
Amount received from members as assessment to make up deficiencies.....	34 75	
		\$539 97
		\$ 8 28

Liabilities.

Due P. J. Vanpatten, rent of field.....	\$10 00
“ Secretary Treasurer, balance.....	8 28
	\$18 28

Out of this sum of \$964 the Government only contributed \$75. I am sorry to hear the disparaging remarks of the hon. member from Monck (Mr. McCallum). Without an efficient staff, it is impossible for us to have an efficient body of men. I notice with regret that whenever these Estimates are brought before the House, there seems to be a disposition to deal illiberally with the militia of the country, the only force we have to depend upon in cases of difficulty. I am sure the country generally are most willing to support

our militia in every way, and above all, to keep up an efficient staff, without which we cannot expect to secure a valuable service.

Mr. CARON. My hon. friend will remember that we give a certain amount every year to the rifle associations and that we sell ammunition to them at cost price.

68. Royal Military College ..... \$59,000 00

Mr. ROSS (Middlesex). I think the money we expend on military instruction is the best money expended in connection with the militia vote, whether that money is expended in drilling our volunteers, in the Royal Military College, or in the maintenance of the Schools of Gunnery. I am not sure, however, but that the Minister of Militia requires to avoid overloading the Royal Military College with expenditure. It was started with the object of giving our young men a thorough military knowledge—an education that would enable them to discharge the highest duties of military officers. The cost of the staff, after the college had been in operation for a couple of years, was only \$13,946. In 1880, it had increased to \$26,680. I have no doubt, on account of the increased attendance, at the college, a larger staff may be necessary, but its popularity may be affected unless care is taken to prevent its being overloaded with officers. I would also suggest to the Minister of Militia that some provision should be made for our cadets in the Royal Military College. I notice that the hon. member for West Durham has a notice on the paper on this subject, and also that the Major-General calls attention to it. Lieutenant-Colonel Hewitt, the gentleman in charge of the College, in his report, remarks:

“Should the Government, business firms or professional men require men specially qualified in any particular branch—for instance, mathematics, physics, chemistry, civil engineering, architecture, modern languages or drawing—graduates of the Royal Military College proved to be specially qualified in any of these points, and with the additional assurance of character and physique, can be selected from among its graduates with certainty.”

Again he says:

“The cadets have gained their entrance to the college by open competition throughout the Dominion, without favoritism, personal or political, they have improved, maintained or lost their original position by four years’ keen competition among themselves, and I therefore trust that, as it is not possible for Canada to afford permanent military employment to all the graduates of the college, she will employ those (at least the best of them) who do not obtain it, in such other capacities as their college records denote their being most fitted for.”

When the hon. member for Lambton introduced his Bill for the establishment of that college, he anticipated that a number of cadets would be so trained that they would be fit to be placed on the staff of civil engineers. Probably the requirements of the Government for that service will be less in the future than they have been in the past; and as that revenue is, to a great extent, closed, it would be well for the Government to make some provision whereby a certain number of cadets might be appointed to positions in the Civil Service, for which their intellectual and physical training would qualify them. I think they would certainly improve the standing of the Civil Service, and their appointments would be inducements for them to remain in the country. The commissions in the army offered by the English Government, although a kind offer on their part, are of little advantage to us. It simply means that the young men we educate serve the British Government outside of Canada. I should prefer to have their services retained in the country. If the Military College does what I believe it can do, train men well physically and intellectually, it is a great pity our country should be drained of the young men thus trained, and whose services would be of very great value to us, if we only knew where to place them.

Mr. CARON. It is very important we should keep down the expense of the Military College as much as possible,

In the first years after the establishment of the Military College, the amount of money expended for salaries was not as considerable as it is to-day. We had only a few cadets and a small number of professors. All who take an interest in the college know that the professors are men of a very high order of education, who have distinguished themselves in the different branches of the service, and who give the best possible instruction to the cadets under their care. The hon. gentleman also referred to a question which is certainly one of very great importance, that of making provision for the cadets. The first step has been made in the right direction by opening the two batteries, A and B, to the cadets. That is certainly an inducement which some of our young men are anxious to get. The commissions which I consider were so liberally placed at the disposal of the cadets by the English Government, are to my mind much more important than at first sight would appear. These young men acquire a great deal of practical experience by serving in the ranks of the British army, and the fact of their having gone over to England for a few years does not make them cease to be Canadians. All their people and their interests are in Canada, and after a certain number of years they are almost certain to return to Canada, trained men fit for the highest positions on the staff of our force.

Mr. JONES. The hon. Minister of Militia is, I think, not aware of the order passed lately by the British Government, or he would not have said it is well for our cadets to go into the British Service. By that order, our cadets who will have served in the British Service for twenty or thirty years, will not be allowed to receive a pension if they come out to this country and are employed in the Dominion Service. What inducement is there for our cadets, under that law, to enter into the service of the British Government at all. I agree with the hon. member for Middlesex that we must endeavor to give them employment in the country, on our militia staff or in the Civil Service. The following is the order passed by the British Government:—

*Royal Warrant, 1881.—Modification.*

“After the completion of ten years seconded service under the Dominion Government, Imperial officers may continue to hold their colonial appointments, but they will be struck off the roll of their regiments.”

A gentleman who has written to me says:

“I have served 3½ years. The pension department refuse my pension until I sign a document that I have resigned the Dominion service, and the first month I am not able to sign a certificate that I am not serving the Dominion Government, they will stop my pension.”

The British Government will pay £450 to a man for hanging round the clubs, but it must not go to a colonist. There is another communication addressed to Captain P. Lewis, who is Artillery Inspector in the Maritime Provinces:

“HORSE GUARDS, WAR OFFICE,  
“25th January, 1881.

“Sir,—I have the honor to acquaint you that your retirement upon a pension of £200 per annum will shortly be announced in the *London Gazette*, but no instructions will be issued for the payment thereof until after a notification has been received that you have resigned your appointment under the Canadian Government.

“I have the honor to be, Sir, your obedient servant,  
“G. G. ARBUTHNOT,  
“Deputy-Adjutant General.”

Capt. Lewis then handed in his resignation:

“2, ESPLANADE, TENBY, SOUTH WALES,  
“26th January, 1881.

“Sir,—Having applied for retirement, with pension, from the Royal Artillery, and being informed by the Horse Guards authorities that I should not be permitted to draw the pension whilst serving under the Canadian Government, I have now the honor to request you will be so good as to forward to the Major Commanding the Militia this, the tender of my resignation of the appointment at present held by me as Adjutant Inspector of Artillery for the Maritime Provinces.”

From what I have heard, I believe this order comes from some small man in the Horse Guards' service who has some  
Mr. CARON.

enmity to us because, instead of going to Woolwich, we have been endeavoring to manufacture our own guns and have bought some Palliser guns. It is not because the British Government want officers, because it was only within the last few years they issued the order that after twenty years' service officers must retire.

Mr. McCUAIG. A false impression has been left on the House by these remarks of the hon. member for Leeds. The British Government does not choose to pay a man a pension when he is earning pay in the Dominion. I think it very proper that if an officer, who is no longer able to do service in England and receives compensation in the shape of a pension, accepts employment in a British possession, his pension should cease. But the moment he loses his position in Canada or resigns it, it is but right that the English pension should be revived. I entirely agree with the hon. Minister of Militia that it is very important for us to have our young men enter the English army, for they would become most valuable men to the British possessions, and would voluntarily return to defend them in case of danger. I have a very strong feeling indeed in favor of the militia service, and I hope Parliament will deal liberally with it.

Mr. SKINNER. I have had much pleasure in visiting the Royal Military College during several years. I have seen the working of the institution, and have one of my boys there. I must say, with all due deference to several hon. members who have spoken on the subject, that I know of no institution in this country as well deserving of the money spent on it, and if five times as much was spent a good return would be given to the Dominion. I desire to read the following remarks from the General's report; and although Generals have hitherto been brought from the old country, I hope the day will come when they will be educated by our Military College. The General says:

“It afforded me much pleasure to see the Royal Military College at Kingston. It appears to me an admirable institution under a most able commandant, Lt.-Colonel Hewett, R.E. One point regarding it I wish to bring prominently before you. Being quartered in Canada previous to the establishment of the college, I remember that its object was then stated to be, to train young men for civil occupations, at the same time imparting military acquirements, so that in after life, though employed in civil occupations, they might, if the emergency arose, make their military training useful to the State. It seems to me that this has not been sufficiently borne in mind, for the highest prizes now offered for the emulation of cadets are not civil appointments in the Dominion, to which the college and cadets themselves belong, but commissions in the Imperial Army, given by the Government of England. I venture to suggest for consideration whether the original intention would not be more beneficially carried out if the first prizes for successful cadets were four civil appointments in their own country, leaving for cadets of more roving inclination, and as second prizes, the four military commissions. Cadets graduating at the Royal Military College would, from their disciplinary education, become very valuable in civil appointments. The college requires also ventilation and additional rooms for the cadets and professors.”

With respect to young lads in this country, they require just as much discipline as anything else, and that cannot be better obtained than at the Military College. The pupils have to be gentlemen or they cannot stay there. I hope the Minister of Militia will not be deterred by the remarks of the hon. member for West Middlesex (Mr. Ross), but will spend as much money as the country can afford to support the institution. It appears that pupils will have to pay \$300 a year, and therefore the college should soon become self-sustaining. I sent my son there at considerable expense to myself, because I desired that he should take his position in the militia, or any other like capacity. I intend to send two other sons there, and I hope the Minister of Militia will do the best he can to secure their proper education in the college.

Mr. KIRKPATRICK. I think it right to say a few words in respect to the Military College vote in consequence of the remarks made by the hon. member for West Middlesex (Mr. Ross), wherein he seemed to think the staff of the College has been unnecessarily increased in cost during the

last two or three years. I am sure if he will reflect he will see that the cost of the staff a few years ago when the college was started could not be expected to be so great as that of the present day when the college is in full working order. I think the college has not failed in any degree to give the country the value which it was thought it should render when it was originated. If the work done by the staff be compared with the Toronto University or any other Canadian University, and the total cost of the two staffs be compared, the comparison will be in favor of the Military College. The salaries of the professors at Toronto University aggregate considerably over \$35,000, whereas the salaries at the Kingston College amount to only \$26,000. Then the staff of professors of Toronto University teach only five months in the year; the Kingston professors teach ten months in the year, and the professors are not only professors, but do the duty of tutors, and are with the students from early morning to ten o'clock at night. I know from experience that the staff at Kingston is as hard working and does its duty as faithfully as any staff could possibly do. There is one feature connected with the college which was contemplated when the institution was originally proposed by the hon. member for Lambton (Mr. Mackenzie), and it is one that has not been carried out, yet I hope it will be carried out at an early date, thereby making the college much more popular throughout the country and among the military officers for whom the benefit was intended when the institution was organized—I refer to the formation of classes for the instruction of military officers. That is distinctly the clause in the Act authorizing the establishment of the college. A class should be formed, as soon as the requisite staff is at the college, for the instruction of militia officers who could attend for three, four or six months. That would make the college much more useful to the militia than at present, also more popular and more creditable to the department. The Government should ask a vote to provide the necessary barrack accommodation; at present the students are crowded together, in some cases eight or ten in a room, and classrooms have to be used as bed-rooms, to the injury of the expensive instruments which have to be left in the hall and scattered throughout the building, also additional accommodation is needed for the health of the students and the proper maintenance of the college. I think that the commissioning of cadets in the Imperial service will not deprive Canada of their services. They can thus complete their military education at no expense to Canada, to which they will gladly return should she need their services. But we ought to keep as many cadets as possible in this country by finding employment for them in the public service, to which they would prove a benefit. It would be very much better thus to provide for them, than to give the appointments, as both parties culpably did, to political incapables. No vote will be better thought of than this \$75,000 increase for drill pay of the men who, it has been hitherto considered, did not receive enough while the staff and other paraphernalia received too much.

Mr. SPROULE. I do not think our cadets should receive more favors or better chances of public employment than the graduates of any other of our respectable colleges. Nor do I think that the interests of the country call for an increase of the expense of this Military College. There has been too much money spent in drill sheds and other militia objects not greatly required.

Mr. PLUMB. I suppose this college costs the Government a great deal of money. The military establishment of a similar character in another country has been mainly established to educate promising young men, the sons of poor parents. I suppose the object of this college is the same. I should expect that those recommending young men to this college, would be very careful to favor meritorious persons not able to procure an education otherwise.

If we are putting this large sum in the Estimates for the purpose of educating those able to obtain an education otherwise, I think we are hardly acting fairly to the country. If I find that that is largely the case, I certainly shall consider it my duty to take a very different view of this matter.

Mr. KIRKPATRICK. It is not the case. The cadets are mainly the sons of farmers. The first three graduates of last year were sons of farmers.

Mr. CAMERON (Victoria). The hon. member for Niagara is wrong if he supposes the college is filled by the nominative system. It is, I believe, the competitive system that is followed. Either this college ought to be abolished or sustained. If it is doing any good, or deserves the support of Parliament, it ought to be sustained, in which case the suggestion of the member for Frontenac should be followed, and proper accommodation for the cadets provided. If Parliament thinks it ought not to be maintained, the whole of this expense is useless. If we are to maintain the college, instead of objecting to any reasonable improvement, we should place it in an efficient and proper condition.

Mr. ROSS (Middlesex). I was slightly misunderstood in the remarks I made when the Committee were discussing the item of the Royal Military College at Kingston, for although I referred to the increased expenditure, I did so with a view of protecting the Minister against what might become a public outcry, and of cautioning him therefore against an increased expenditure. We have here a large item of expenditure for these batteries, and there is a radical defect existing with regard to this appropriation. As the member for Victoria said, candidates for admission into the Military College are admitted through a competitive examination, and with regard to those of A and B Batteries they are admitted simply on the recommendation of a Deputy Adjutant General or some other officer, and without any physical or intellectual qualification being required. The result of this system is a serious loss to the country. By a return which the Minister of Militia was kind enough to give me since 1871, when the batteries were established, 2,468 persons were admitted, and of these only 859 were certificated. Since the establishment of these batteries we have expended over a million dollars on the education of these 859 persons, and every person who has been certificated in one of these schools has cost the country \$1,167. Now, admitting that the course of instruction there is very good, and that these are valuable men when they are trained, I think the Minister of Militia could so arrange the instructions there so that the same amount of training could be got for less money. I think the difficulty would be largely remedied by requiring an entrance examination and some inspection of the men before entering. The very fact that there have been so many admissions and so few certificates, shows that the system of admission is loose. I was told of the case of a gentleman, living in a city not a thousand miles from here, who, being out of employment one winter, got admitted through an officer to the school of gunnery at Kingston. He spent the greater portion of a year there, drew his pay at fifty cents a day which was more than he could have made by hanging round the city, but the country paid the expense. There is another suggestion which I should like to make to the Minister. We have opened schools for military education at Toronto, Quebec and Halifax; they do not cost much, but I think if A and B Batteries were used for the purpose of instruction the expenses would be obviated, and I think men would get better instructors. Since Confederation we have expended over \$13,000,000 on the militia force, and what have we for that expenditure? The hon. gentleman does not venture to say that we have a well-drilled force; we could not expect it; but if we are to promote anything like military education, if we cannot thoroughly drill the volunteers with the small amount of

money at our command, we should see at least that we are thoroughly drilling a certain number who will be able to take charge of them in case of an emergency. The only protection this country can have will be well-drilled officers who shall be able to take charge of the men in the event of an emergency arising; and our next look-out should be to have these officers drilled at the smallest possible expense to the country. I think that can be done in connection with those two batteries; and if the Minister of Militia, who seems so anxious to improve the force, will devote his attention to this matter, I think he will benefit the country and will render himself exceedingly useful in the department upon whose duties he has entered with so much enthusiasm.

Mr. CARON. I cannot view the matter in the same light as the hon. member for West Middlesex. The hon. gentleman must remember that these men, besides taking charge of these two batteries, are maintained for the purpose of looking after important fortifications in Quebec and Kingston. I need not call the attention of the hon. gentleman—for he has evidently studied the matter thoroughly—to the importance in a country like ours of having a large force of artillery to protect our rivers and other commercial highways. I think these two batteries form a nucleus of a system of defence which will be of the greatest importance to the Dominion.

Mr. THOMPSON. I would like to ask the hon. gentleman at what period of the year it is proposed to have drill in camp.

Mr. CARON. We intend to have them as near the first of July as possible.

Mr. THOMPSON. Are the officers to have the pay of their rank during these camps?

Mr. CARON. Yes.

Mr. PATERSON (Brant). I have had correspondence with a captain in the militia force who states that in 1875 an order of the department was passed that a captain should rank as brevet after five years' service. He says that subsequently that order was changed to ten years. He thinks this arrangement is unfair to those who enlisted under the five-year regulation. Would the Minister state whether the new order applies to those who enlisted under the old arrangement?

Mr. CARON. The change the hon. gentleman has referred to has taken place. It is made ten years instead of five, and applies to the whole force.

Mr. ROSS. Is it the intention this year, in the selection of the Wimbledon team, to select the best men by competition out of the whole Dominion, or to select them on Provincial lines?

Mr. CARON. That is a matter under the control of the Association and not of the department.

Mr. KIRKPATRICK. The best men are to be selected from the whole Dominion.

Mr. ELLIOTT. The department should select the most convenient season of the year for holding the camps. In Ontario the most convenient month would be June, as the labor on farms is then the least pressing.

Mr. CARON. The date is not distinctly fixed, and before fixing it the views of the different localities where camps are to be held will be consulted.

153. Marine and Immigrant Hospitals ..... \$56,000 00

Sir RICHARD J. CARTWRIGHT. I do not think this differs materially from what we had before, yet the details ought to be given. Up to the present time the custom has always been to give in detail the mode in which you are going to distribute this vote. When you are taking a lump

Mr. Ross (Middlesex).

vote and giving the whole to a particular Province, it is a very different thing to giving the details. For instance, in 1878 a certain sum appears to have been assigned to Nova Scotia, and a certain sum to Halifax and St. John.

Sir LEONARD TILLEY. It is the same as last year. We are in the habit of giving the details, but as the amount and the distribution are the same, the details have not been given.

Sir RICHARD J. CARTWRIGHT. But you have power under a vote of this kind to assign the whole to a particular Province, which you had not before. There were four distinct votes taken before.

Mr. MILLS. Each appropriation ought to have been designated. We know that there was a time in England, when the whole subsidy was voted in a single sum, and the Administration could distribute it just as they pleased. It seems to me that if this House is going to exercise proper control over the expenditure, and if the office of Auditor General is to be of any value, the Estimates ought to be given to this House in as much detail as possible. One of these institutions may have expended upon it, by the want of proper care, a much larger sum than the Government contemplated, while a smaller sum would have to be given to the other institutions.

Sir LEONARD TILLEY. It was given in extended detail before, but as the amounts are the same I suppose the department did not think it was necessary. Before concurrence, I will submit the details for each service as formerly.

Mr. BLAKE. Will the hon. gentleman take care that the vote is taken that way?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. Because unless the vote is taken separately, there is no security that there shall be economy in each establishment.

175. Customs—Salaries and consequent expenses  
of the several ports..... 732,119 00

Mr. BLAKE. In Toronto there appears to be an increase. It seems to be more expensive to conduct that office when you save the expense of a collector than when you pay him a salary. I believe for a long time there has been no collector there. Are we not going to have one?

Mr. BOWELL. I think so.

Mr. BLAKE. How soon?

Mr. BOWELL. As soon as the Government think it necessary to put one there.

Mr. BLAKE. When was the late collector suspended, and how soon will there be one appointed?

Mr. BOWELL. The late collector was suspended twelve months ago, and the surveyor has been acting in his place. The apparent increase in the service of the Toronto Custom House arises from an error of \$1,000 in the Estimates of last year, the transfer of a clerk from Ottawa to Toronto, and the appointment of some temporary officers on the permanent list. The present estimate provides for the salary of a collector. If he is not appointed, of course that will not be expended.

Mr. BLAKE. But the fact that the duties of that important part can for twelve months be discharged efficiently, and without loss to the public, without a collector, by the surveyor discharging the duties of both offices, would seem to indicate that the staff is too large. If, on the other hand, the public service is injured by this officer not being able efficiently to discharge the duties of both of those offices, then there ought to be an appointment. In any case, it seems to me there ought to be a change.

Mr. BOWELL. I am not sure that the public business has been injured. While the surveyor was acting as collector, somebody else was appointed to perform the duty of surveyor.

Mr. BLAKE. The hon. gentleman's explanation is not very satisfactory. It seems to me that office should not have been left so long vacant, and it ought to be early filled. I do not think it could have been kept open so long except from political motives, or motives not connected with the public service.

Mr. ANGLIN. I hope the hon. gentleman will have very little time to grieve over this matter, and that the office will be filled at a very early date. This is one of the items of public expenditure about which, in former days, a great deal was said. When the hon. member for St. John was head of the Customs Department, he was attacked year after year, because, as it was alleged, he had increased the expenditure of this department or had not reduced it as he ought, and we naturally expected, when hon. gentlemen opposite came to office, that the expenditure would have been greatly reduced. Instead of that it has been increased, so that this year it is only \$8,000 more than the estimate of the current year, and the estimate for next year is over \$26,000 more than the estimate for 1877-8, the last year the department was under the control of the hon. member for St. John.

Mr. JONES. What revenue had you?

Mr. ANGLIN. The extent of revenue did not very materially affect the cost of collection. The actual quantity of goods imported was nearly as much as in previous years, the falling off in amount being due to shrinkage of values. And last year the revenue was one of the smallest we have had for many years. We had the largest deficit last year we had for many years. The quantity imported this year is not larger than last year's, but prices have advanced. That is the reason the revenue has increased considerably. There is one factor under the present fiscal policy that would justify increased expenditure—that is, the encouragement given to smuggling by the enormous increase in the rate of taxation; but if one-half of what we hear of the smuggling carried on is true, I do not think the hon. Minister has sufficiently provided for that portion of the expenditure. The fact is patent that while these hon. gentlemen when in Opposition talked as if it were possible to reduce largely the expenditure of the Customs Department, they have gone on increasing the cost until it is \$25,000 or \$26,000 more than it was under the late Government.

Mr. BOWELL. Had the hon. gentleman taken the trouble to enquire into the amount of work done, he would not have made the assertion he has made. The management of the examining warehouses has added a very large sum to the expenditure. In Montreal there was an increase of 112 vessels arrived at that port and increased tonnage, 74,453 tons, and every vessel had to be examined by one or two Customs officers. The hon. Minister then enumerated the various items of additional expenditure. I am convinced that smuggling does not exist to the extent represented. There is one great difficulty we have to contend with, and that is the question of valuation. We would prefer to be punishing severely, so far as we possibly could, persons who falsify their entries.

Sir RICHARD J. CARLWRIGHT. I dare say the hon. gentleman is taking all reasonable pains to keep down the expenses of his department; but the fact remains that they have greatly increased since the time my hon. friend from St. John (Mr. Burpee) was Minister of Customs. The fact that the present Minister is obliged to ask \$732,000 for this service at present, is the clearest imaginable proof of the gross injustice and unfairness of the accusations made against

my hon. friend from St. John. With regard to smuggling, I am informed that the officers of the department must have misinformed the Minister of Customs seriously as to its extent. Some of the most prominent merchants in Canada, who have no political leanings, have told me they are convinced that very large amounts of smuggled goods of various kinds are brought into Canada from the States, and that to their knowledge large quantities are sold at rates at which they could not possibly be disposed of if they paid duty.

Mr. JONES (South Leeds). I have heard something said about the Collector at Montreal going to be shortly superannuated. He is one of the best officers in the Dominion, and his health does not require his superannuation. I think he should be retained in his office.

Mr. BURPEE (St. John). The number of vessels that arrived in our ports in 1878-79 was larger than that of 1879-80, if I am not mistaken. I can understand when there is a great increase of vessels in Montreal, additional hands would be required. But an increase in the amount of revenue need not necessitate a great increase in the cost of its collection. There is a number of small ports in the Dominion at which the revenue has greatly declined, yet the expenditure remains the same. So I do not think you can reduce or increase the staff as the revenue fluctuates. But this Government expected a general decrease of importations. If such a decrease occurred, should we not expect a decrease in the cost of collections of revenues? The expense in Montreal must be larger now than in 1878, with the general warehouses. I think there is every reason to believe that the expenditure in that case would be largely increased. But I do not think that the increase of revenue should necessarily involve a large increase for collection.

Mr. ANGLIN. The Minister of Customs scarcely replied to my statement. I took the total amount in gross for the two years without going into the details. I said nothing particularly about the port of Montreal; but now that it has been mentioned, I may say that in former days, when the hon. member for St. John (Mr. Burpee) was Minister of Customs, and when he transferred the expense of warehousing in Montreal from the individual merchants—when he engaged a permanent staff of men employed from day to day, he was constantly charged by his opponents, and especially by the hon. gentleman himself, with extravagance in expenditure, though he showed clearly how the increases had taken place, and that they were necessary. This charge was repeated hundreds of times, though the hon. gentleman who was then Minister gave a perfectly unimpeachable explanation of all the increases. The hon. Minister of Customs speaks of the increase in the number of vessels coming into Montreal last year; but that was not caused by any great addition in the imports, but almost entirely by increases in the exports. The imports came chiefly in steamers, the sailing vessels bringing cargoes of the heavier articles, and there was some addition, of course, to the imports of sugar from the West Indies, though the great bulk of it did not come in that way. I do not say that the increases may not be necessary, but I want to point out, particularly, that whereas under the late Government, charges were made of incompetency and neglect of duty, because of the amount expended on the collection of those revenues, yet these charges were absolutely disproved by the figures of the hon. gentleman who was so ready to charge us with extravagance.

Mr. BOWELL. Notwithstanding the apparent knowledge which the hon. gentleman has of matters connected with the Customs, he speaks with regard to some matters considerably at random, if he will allow me to use the expression. Previous to the accession of this Government to power, there was no proper and correct method of expenditure at the port of Montreal. At that time, a certain amount was

charged for storage and cartage, and the amount which they charged the merchants for cartage was double what they themselves paid. Under the old system they used to insure all the goods as they went into the warehouse, and charge against the merchants the amounts paid to the different insurance companies. The surplus in both these funds was appropriated for the payment of extra services, the balance going to the general revenue. When I found that system prevailing, I at once said to Mr. Simpson that it was not a right system; that he should not dispose of this cash from incidental revenues in the manner then prevailing; but that they should place the money to the credit of the Receiver-General, and charge every dollar that was paid for duty. Under that system as much as \$10,000 or \$15,000 of these profits were paid for extra expenses and charged against the Department; and that is one reason why the port shows a larger expenditure than under the old *regime*. The hon. gentleman undertakes to deny what I said about the necessity for the attendance of extra employees at the Grand Trunk sheds at the port of Montreal. I do not think it is necessary for me to stand up and repeat the facts over and over again when an hon. gentleman holding his position, simply asserts that what I stated was not the fact. I may also tell him that there was an increase of from 30 to 40 men when my hon. friend from St. John was about to leave the Government a few years ago. It was an increase which I could not understand then, nor can I understand it now. I could account for a few of them, but not for so large a number. I find it almost impossible to keep the staff within proper limits. Last winter there were men who worked there during the whole season, and I refused to pay them, though I cannot say whether the collector paid them or not. It is a constant fight from the first of January to the last of December, notwithstanding the capabilities of the officer to whom my hon. friend has referred.

Mr. BURPEE (St. John). With regard to what the Minister has said with respect to the charges for cartage, he will find that the change he refers to took place prior to our time, and that we entirely dispensed with the system. We found in all the ports throughout the Dominion that the carting was done at the expense of the Government, but in Montreal the carting which the merchants formerly paid, from the vessels to the warehouse, was paid by the Government, the merchants only paying the charges from the warehouses to their own places.

Mr. ANGLIN. The hon. Minister of Customs misunderstood me, or I think he would not have grown so warm. I do not want to contradict any statement he made, but I want to point out that vessels arriving in ballast, though in much larger number, could not add very materially to the work of the Customs, while vessels arriving laden with dutiable goods would give very much trouble. The hon. Minister made a very peculiar statement. He said that after 1873 there were thirty or forty persons put on the pay-list at the port of Montreal, he cannot tell how. He wishes us to understand they were employed without being required.

Mr. BOWELL. These men are all comfortably provided for inside by the hon. gentlemen opposite. I have not increased the number at that port. The hon. gentleman does not seem to comprehend the difference between clerks in the department and those who have been put on temporarily during the summer. These latter have been increased I admit it.

Mr. ANGLIN. The hon. gentleman probably intended to say so, but he did not. But I wanted particularly to draw attention to the fact that while the volume of our trade inward has not largely increased—and there is no great necessity for watching the trade outwards—notwithstanding that, the cost of collection of the Customs has very considerably increased.

Mr. BOWELL.

Mr. BOWELL. How could we keep our statistics if we did not keep account of the exports? You said it was not necessary to look at them.

Mr. ANGLIN. That does not require much trouble.

Sir RICHARD J. CARTWRIGHT. I see under the head of Nova Scotia that there is a slight increase at Yarmouth.

Mr. BOWELL. This is caused by the transference of two officers. One has been transferred from New Glasgow, at \$500, and another, Mr. Bowen, is to be transferred from Cape Breton to Yarmouth. At the Port of Sydney there is a decrease in the amount of salary paid to Bowen, and it is charged to Yarmouth.

Resolutions ordered to be reported; and (at 1:40 o'clock, a.m.,) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 7th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### PERSONAL EXPLANATION.

Mr. PLUMB. Mr. Speaker, before the Orders of the Day are called, I ask the indulgence of the House for a few minutes while I make a personal explanation. At the end of August last, I was invited by the Conservative candidate in North Ontario to attend a series of meetings with the hon. the Finance Minister, and at that request I met the Finance Minister on Wednesday 25th August, and proceeded with him next morning to the town of Uxbridge, where we held a meeting. We went from there to Port Perry, from there to Cannington, thence to Beaverton, and came home on Saturday morning. The tour was undertaken at the request of Mr. Gibbs; and soon after my return I saw in the *Globe* newspaper the following article:—

"Mr. J. B. Plumb's orations in North Ontario were more oppressive than impressive, as the Tories of Uxbridge found to their cost. After the meeting in that village which was addressed by the Finance Minister and the 'sweet singer of Niagara,' the local managers are said to have telegraphed to the managers at the next place of meeting to get Sir Leonard Tilley to occupy the most of the allotted time, as Mr. Plumb was doing them harm by his prolix inanities. The hint was, it seems, taken and acted on, but Mr. Plumb will not feel at all pleased with this explanation of the shortness of the time allowed him."

I would have paid no attention to that article in the *Globe*—as I do not pay any attention to what is said in the *Globe* about myself—but an hon. gentleman in this House, the hon. member for Muskoka (Mr. Cockburn) on 10th January, ventured, I think in very bad taste, to allude to that article. That hon. gentleman said:

"I happened to be in a constituency last summer, not on a missionary tour, but because I had friends there. This was shortly after the North Ontario election, and I must admit that some of my friends there contributed to the large majority of the present member for the riding. The hon. member for Niagara was sent to the constituency, and I believe that a telegram was actually sent to the U. E. Club by some young Conservatives in the riding, urging that body to recall the hon. member for Niagara."

I do not know that I would have taken any notice of that statement, except that I met the hon. member for Muskoka (Mr. Cockburn) the next day, and I asked him how it happened that he made an attack on me, remarking that he had used very offensive words on that occasion. I presume the hon. gentleman is somewhat in the position of some of the uneducated dwellers in the mining and other districts of England, who, they say, are able to carry on their business and their social intercourse with only 350 words. The hon. gentleman has a very limited vocabulary,

and therefore I cannot blame him if he uses those words most familiar to him in making a statement. I, however, asked the hon. gentleman: "Why did you attack me?" He replied: "You insulted me in your speech of 5th January." I asked: "How?" He answered: "You called me an eloquent speaker." I said: "I concede that that is actionable, and I admit you had the right to take your revenge." I would not have noticed it further even then, but the hon. member for West Middlesex (Mr. Ross) not only took up that newspaper paragraph, but he adverted to the statement of the hon. member for Muskoka (Mr. Cockburn), and enlarged upon it. He said:

"I say that while the hon. gentleman has ever been ready to accompany hon. Ministers in their peregrinations, he has been equally ready to retire at their request. It is a matter of notoriety that in his recent tour in North Ontario, where it was expected that he would accomplish marvels for the Government—where one would suppose—"

There was, at this point of the hon. gentleman's remarks, an interruption.

Mr. MacDONNELL raised a point of order, that the hon. member for Niagara was referring to what had occurred during vacation.

Mr. SPEAKER ruled that the point was not well taken.

Mr. PLUMB. The hon. member for West Middlesex further said:

"I say that the hon. gentleman went to North Ontario, where it was expected the hon. gentleman would electrify the mob of settlers in that riding as no other hon. member could electrify them, but it appears from the public prints that the hon. gentleman's services were not so acceptable as he supposed. The hon. gentleman will permit me to read a short article on the subject."

There is, in this extract, an attempt made to force on me the expression "mob of settlers," which I did not use and which I deny having used. The hon. gentleman then read the article already quoted, which he stated had come from the *Toronto Telegram*, and he said:

"The *Toronto Telegram* is the paper from which I shall quote, and perhaps the hon. gentleman will recognize a friend in the writer, for the *Telegram* is not a supporter of the Opposition."

That article appeared in the *Globe*, and did not, so far as I am able to ascertain, appear in the *Telegram* at all. I then enquired from the hon. member for North Ontario (Mr. Wheler)—

Mr. SPEAKER requested the hon. member to satisfy himself with a personal explanation.

Mr. PLUMB. I intend to do so. In my endeavors to find out the source of the report, I was referred by the hon. member for North Ontario, to whom I applied, to a leading Conservative in the town of Uxbridge. I wrote a letter to that gentleman, and I have to-day, for the first time, an opportunity to state the contents of that letter. That letter is to the following effect:—

"Having just heard from Mr. N. F. Paterson that Mr. Wheler, our representative in North Ontario, had mentioned my name amongst his friends in Ottawa as an authority for stating that during your late visit to our riding in the interest of Mr. W. H. Gibbs, our friends considered you did the party more harm than good by your speeches, and as a consequence they had to resort to means for choking you off by getting other speakers to speak against me, I take this opportunity of giving this statement an unqualified denial. I never made a statement nor anything to that effect; I never said a word, nor did I hear a word spoken by any of our party which would in any way reflect upon the propriety of your political speeches, or your usefulness to the party."

Then, Sir, a statement was made that a telegram was sent to Port Perry, asking the hon. the Finance Minister to take up the time at the meeting to be held there, so as to prevent me from speaking. I have received a letter from Mr. Paterson, the chairman of the meeting at that place, giving this statement the most unqualified denial, and stating that if he had known it in time he would have brought it up in the county Conservative convocation. I then telegraphed to the U. E. Club, enquiring whether a

message had been received of the character stated by hon. gentlemen on the floor of this House. I shall read my telegram and the one which was sent in reply:

"March 7th, 1881.

"To Secretary U. E. Club, Toronto:

"It is asserted that during the North Ontario election campaign, after the Uxbridge meeting, 26th August last, a telegram was sent to your club, or to you, requesting my withdrawal, and asking that another speaker be sent in my place. Was any such telegram received? If so, what, from whom, from whence, and by which line? Answer immediately.

"J. B. PLUMB."

"OTTAWA, March 7th.

"(No. 154. Time, 2.03.)

"By Telegram from Toronto to J. B. Plumb, M.P.

"No such telegram as you refer to was received here.

"T. W. FISHER,  
"Secretary."

As these statements are made on the floor of the House I thought it was worth while, in justice to myself, to take up the time of the House for a moment to show that there was no sort of foundation for any of them. I do not accuse hon. gentlemen of intentionally misrepresenting the facts, but I do say that when the hon. member for West Middlesex (Mr. Ross) stated that the paragraph which he read was found in the *Toronto Telegram*, he was not quite stating the exact state of the case. I challenge the hon. gentleman to find any such statement in the *Telegram*.

Mr. SPEAKER. Order, order.

Mr. PLUMB. I now call upon the hon. Finance Minister to state whether any—

Mr. SPEAKER. I think the hon. gentleman should be satisfied with the very great indulgence which the House has shown him.

#### ONTARIO AND QUEBEC RAILWAY.

Mr. CAMERON (Victoria) moved the third reading of Bill (No. 23) to incorporate the Ontario and Quebec Railway Company.

Mr. BOULTBEE. By a communication which I received from Toronto, I learn that an arrangement was made in that city between parties representing the corporation and the solicitor promoting the Bill, by which it was agreed that clause three should read thus:

The Company and their agents and servants may lay out, construct, finish and operate a double or single independent line of railway running easterly in the city of Toronto, in the Province of Ontario, through the counties of York, Ontario, Victoria, Durham, Peterborough and near Carleton Place *via* the towns of Peterborough and Perth, with power to construct a branch line to the town of Lanark, and, from the said point, at or near Carleton Place, through the County of Carleton to the city of Ottawa, and across the Ottawa River, at or near the city of Ottawa, into the Province of Quebec, to effect a junction with railways in that Province.

That clause comes there signed by W. H. Lockhart Gordon, on behalf of the promoters, by John Hallam, the Chairman of the Legislative Committee of the City Council of Toronto, and it is vouched as correct by the Mayor. I do not know very much of the facts, but as such an arrangement appears to have been made, and as the matter has been put in my hands as one affecting the interests of Toronto, I beg to move that the Bill be re-committed with instructions to add the clause which I have read.

Amendment lost on division.

Mr. BOULTBEE. When this Bill was in Committee it excited a good deal of interest, and a great deal of time was spent in discussing it. As soon as discussion arose upon the Bill in Committee it seemed to be admitted on all hands that if it prevailed it would be virtually annulling and killing, in fact, the whole charter held by Mr. Gooderham for the Toronto and Ottawa road. In the early discussion

that principle seemed to be affirmed, and there seemed to be a concensus of feeling that if this charter were granted by the House, which would have the effect of killing the charter now in the hands of Mr. Gooderham and others, there should be a clause in it providing that compensation should be given to Mr. Gooderham and his co-incorporators for the money they had expended, and in consequence of that feeling a clause was moved by the hon. member for West Durham (Mr. Blake) providing that the old company should have compensation if this one went into effect. Now I felt myself strongly, and I feel strongly now, that it would be an unfair thing in this Legislature to give a charter the admitted effect of which would be to destroy another charter over the very same ground, unless we provided for compensation being given for the charter which would be affected. It was not denied in the discussion that took place that Mr. Gooderham and his fellow incorporators had not been in possession of the Toronto and Ottawa charter twelve months, and that since they had been in possession of it during eight or nine months they had used great activity in prosecuting the survey which was necessary, and had expended a good deal of money in addition to what they had paid for the charter; and under these circumstances it certainly did occur to me, and I hope it will occur to this House, as a measure of common justice, that if the value of this charter was to be completely destroyed, some compensation should be given, especially when the very first gentleman whose name appeared on the application for the new charter, is one of those who sold out the old charter less than twelve months ago. The circumstances are very peculiar. Mr. Gooderham and his co-incorporators had a right to get bonuses for building this road, they have several bonuses now, but this new Bill we are now discussing came before the Committee coupled with the proposition that they would ask no bonuses. However, we find on examining the Bill that they take power to get bonuses also. The effect of that was completely to kill the old charter, because it would be impossible to realize those bonuses when there was another charter granted to build a road over the same ground, but avowedly asking for no bonuses. When this clause, which was proposed by the hon. member for West Durham, came to be voted upon in Committee, a great many of the Committee having gone away, it was suggested by the promoter of the Bill, the hon. member for North Victoria (Mr. Cameron) that Mr. Leys, who was appearing for the incorporators under the old charter, should declare that he was willing to take a money compensation and give up all his rights, and then the member for North Victoria was willing, on behalf of the incorporators of this new Bill, that the clause should become a portion of the Bill. It was suggested by gentlemen on the Committee that this would not be the action of Mr. Leys, who was acting as solicitor for the old incorporators, nor the action of those gentlemen in any sense, but the action of the Committee, seeing that before they would grant the charter to build a line over precisely the same road that the old charter covered, it was felt that the Committee had a right and could justly impose those conditions on the old company, while it was not at all incumbent for the solicitor, acting there for the old Bill, to give up all the rights he had, because that would be imposing action on him by the Committee. I do not think that was the opinion of the Committee, and I trust it will not be the decision of this House, because the result of the action we are taking now will be the destruction of the charter held by Mr. Gooderham and his co-incorporators, and will involve a loss to them of \$50,000 or \$60,000. I suggest to this House that it would be an unfair thing to legislate away the rights of those gentlemen without providing a measure of compensation, and I, therefore, beg leave to move the following amendment;—

That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to add the following clause: "The

Mr. BOULTBEE.

Toronto and Ottawa Railway Company, hereinafter called the Toronto Company, may, within one month after the passing of the Act, by registered letter, address to and transmit to the Company hereby incorporated, an account of the amount actually expended by the present proprietors of the Toronto Company in the purchase made by them of the stock and charter and assets thereof, and also of the amount actually expended by the Toronto Company, since such purchase, in the prosecution of the enterprise, and of interest on such amounts. The Company hereby incorporated shall, within one month thereafter, by registered letter, addressed to \_\_\_\_\_, notify the Toronto Company, in case it disputes the said account, and name an arbitrator; in that case, the Toronto Company shall, within fourteen days thereafter, name an arbitrator, and the two arbitrators shall, within fourteen days thereafter, name a third; and if they make default therein, a Judge of the Exchequer Court may, on the application of either of the companies name such a third arbitrator. The arbitrators, or a majority of them, shall decide on the true amount. The Company hereby incorporated shall within \_\_\_\_\_ months after the passing of this Act, pay to the Toronto Company the amount of the said account, or in case the same is disputed, the amount ascertained by the said arbitrators. Upon such payment, the Toronto Company shall deliver to the Company hereby incorporated all plans, surveys and reports by it obtained, and shall execute to the said Company a covenant to concur in, and at the expense of the said Company hereby incorporated, promote legislation for the dissolution of the Toronto Company, and meantime not to make use of its corporate powers."

Mr. CAMERON (Victoria). My hon. friend has stated that the effect of this Bill is to kill the Gooderham charter. I deny that *in toto*. It does not make any reference whatever to Mr. Gooderham's charter which was obtained from the Ontario Legislature. Mr. Gooderham can go on after this Bill is passed and build his railway, particularly as it is stated he has secured a large amount of bonuses. My hon. friend says this Bill will prevent him from getting any more bonuses. Mr. Gooderham cannot get any more bonuses, at any rate, as the existing law in Ontario requires an absolute majority of all the votes in any municipality to carry a bonus by-law. Mr. Gooderham has held his charter since March last—it was formally transferred by vote of the shareholders in June last. He did nothing until after notice was given of the application for this charter. He then suddenly became alive to the necessity of doing something, and he sent an engineer out after the snow had fallen in December. During the intervening months it had been openly charged that Mr. Gooderham was acting in some way in the interest of the Grand Trunk Railway. I do not propose to discuss whether that is so or not. Mr. Gooderham denied it, but a section of the public has not been satisfied with his denials. It is very questionable, as the hon. member for Westmoreland (Sir Albert J. Smith) pointed out, whether an amendment of this kind is constitutional or not. We are not taking away Mr. Gooderham's charter, or amending it in any way, and why a rider should be attached to this Bill, granting him compensation when his rights are not interfered with I cannot understand. That this Parliament should say to the whole world that we are stipulating for the bargain and sale of a local charter, I think is not fair or right. After Mr. Gooderham's solicitor stated in the Railway Committee, that he did not want this amendment, and that he intended to oppose this Bill to the bitter end, I think it would be treating the promoters of this Bill most unfairly to provide that, after its opponents sought in every way to kill it and did not succeed, they should get compensation. I offered in the Railway Committee, that if Mr. Gooderham would state that he would accept the proposal of the hon. member for West Durham, and as a consequence withdraw his opposition to this Bill, we would give him compensation within twenty-four hours. The promoters of this Bill have done everything honest and fair, and Mr. Gooderham should either accept or reject their offer. He should not blow hot and blow cold at the same time. The hon. member for East York, referred to me as the promoter of this Bill. I say I have not, directly or indirectly, in myself or in my clients, professionally or personally, any interest in this matter.

Mr. BOULTBEE. I had no intention of stating that the hon. gentleman was a promoter of this Bill in the sense in

which he regards the term. But I think the hon. gentleman was also slightly mistaken as to the statement of Mr. Leys. Mr. Leys did not say that he did not want this amendment inserted, but that he would not be a party to it.

Sir ALBERT J. SMITH. I should like to ask whether Mr. Gooderham's company have agreed to accept compensation. If they have, I will vote for the amendment; if they have not, I will vote against it.

Sir JOHN A. MACDONALD. I can quite understand why the solicitor of the Toronto and Ottawa Railway did not assume the responsibility of accepting the proposition, because by doing so he would be simply giving up the claim for which they have been fighting—the hon. gentleman says, by all means, legitimate or illegitimate—but I am not aware that illegitimate means have been used, and I think the hon. gentleman was not justified in making that statement. The solicitor, of course, could not give away what he considered to be the rights of his company, but that does not interfere with the question, whether when we grant a new charter which, everybody must admit, destroys the hopes altogether of the Toronto and Ottawa Company, we should not make it a condition, in granting the new charter, that the old company should receive a fair compensation for surveying and engineering expenses. The hon. gentleman admits he offered to pay those expenses in order to induce the Toronto and Ottawa Company to sacrifice its right. If he did not think the claim was a fair one he would not have made the offer. The offer is an admission that this company, under its charter legitimately got by Act of the Local Parliament which, in the public interest this Parliament overrides, has a just claim to this money. We ought certainly to compel the new company to pay the expenses that the old company, the destroyed company, has gone to in laying out their road, and it is provided that all the plans, all the work, in fact, that has been done, shall ensue to the benefit of the new company. It is also provided that this old company shall thereupon agree to dissolve their corporation so as to give the whole field to the new company. It seems to me it is a mere matter of fairness and justice the money should be paid to the Toronto and Ottawa Company.

Amendment (Mr. Boulton) negatived on the following division:—

## YEAS:

## Messieurs

Anglin,	Hackett,	Mills,
Bain,	Haddow,	(Orton,
Bannerman,	Haggart,	Paterson (Brant),
Beaty,	Heason,	Platt,
Blake,	Hilliard,	Plumb,
Borden,	Jackson,	Pope (Queens),
Boulton,	Kilvert,	Richey,
Bowell,	King,	Robertson (Hamilton),
Brown,	Kranz,	Robertson (Shelburne),
Bunster,	Lane,	Rogers,
Bunting,	Langevin,	Ross (Middlesex),
Burnham,	Little,	Rymal,
Cameron (Huron),	Macdonald (Sir John),	Shaw,
Caron,	McDonald (Cape Breton),	Snowball,
Charlton,	McDonald (Pictou),	Stephenson,
Doull,	McDonald (Vict., N.S.),	Tilley,
Elliott,	Macdonell (Lanark),	Trow,
Fleming,	Macdonnell (Inverness),	Wallace (Norfolk),
Fulton,	McCarthy,	Wallace (York),
Gillies,	McCuaig,	Wheler,
Gillmor,	McKay,	White (Cardwell),
Girouard (Jac. Cartier),	McLeod,	White (Renfrew),
Guthrie,	McRory,	Yeo.—69.

## NAYS:

## Messieurs

Arnell,	Dugas,	Merner,
Barnard,	Dumont,	Montplaisir,
Beauchesne,	Farrow,	Mousseau,
Béchar,	Fitzsimmons,	Muttart,
Bergeron,	Flynn,	Ogden,
Bill,	Fortin,	Olivier,

Bolduc,	Gault,	Quimet,
Bourassa,	Geoffron,	Patterson (Essex),
Bourbeau,	Gigault,	Pickard,
Brecken,	Girouard (Kent),	Pinsonneault,
Brooks,	Grandbois,	Poupore,
Burpee (St. John),	Hay,	Rinfret,
Burpee (Sunbury),	Hooper,	Rouleau,
Cameron (Victoria),	Houde,	Royal,
Carling,	Huntington,	Ryan (Montreal),
Cimou,	Hurteau,	Rykert,
Colby,	Kaulbach,	Schultz,
Costigan,	Landry,	Skinner,
Coughlin,	Lantier,	Smith,
Coupal,	Longley,	Sutherland,
Coursol,	Macdonald (Kings),	Tassé,
Currier,	Mackenzie,	Tellier,
Cuthbert,	McCallum,	Thompson,
Daoust,	McInnes,	Vallée,
Desaulniers,	McQuade,	Vanasse,
Desjardins,	Manson,	Weldon,
Domville,	Massue,	Wright.—82.
Drew,		

Mr. ROBERTSON (Hamilton) moved:

That the Bill be not now read a third time, but be referred back to the Committee of the Whole, with instructions to amend the 19th section by adding the words "Great Western Railway Company" after the words "Credit Valley Railway Company," wherever they occur in such section.

The object is that the Great Western Railway Company may have the same right of amalgamation that the Credit Valley Railway Company has in this Bill. Originally, as the Bill was introduced, there was a general amalgamation clause. It was thought, in the Committee, that that was giving too much power, and it was limited. At that time it was not supposed the Great Western wished to have any power of amalgamation, but since seeing this amendment, they request they may have the same right as the Credit Valley on the west, and the other companies on the east.

Mr. CAMERON (Victoria) said the promoters of the Bill had no objection to the insertion of the name of the Great Western Railway Company in that clause, provided the third reading of the Bill, to-day, would not thereby be delayed.

House resolved itself into Committee of the Whole.

Amendment read the third time, reported and agreed to.

On motion for third reading,

Mr. CURRIER moved in amendment:

That the Bill be again re-committed to a Committee of the Whole, with instructions that they have power to add a clause providing that the company shall pay to H. J. Hubertus the sum of \$2,000, to indemnify him as the original promoter of a line of railway between the City of Ottawa and the City of Toronto; said sum to be paid within six months after the passing of the Act.

I may say that Mr. Hubertus was the first projector of the line between Ottawa and Toronto. He spent a great deal of time and money in making an exploratory survey with Mr. Keefer, the Engineer. I think the report of that survey is before the country, and that Mr. Hubertus is entitled to remuneration for his services. I know that he went to a good deal of trouble and expense to obtain the charter, which was afterwards transferred to Sir Hugh Allan by the provisional directors, with the expectation that he would proceed with the work without delay. He did not do so, however, and the charter lapsed. Still, the work performed by Mr. Hubertus and the engineer employed, forms part of the accumulated work for which Mr. Gooderham will be paid if he gets anything. If the company, therefore, is bound to pay anyone, Mr. Hubertus' claim should be recognized.

Mr. WRIGHT. I have much pleasure in seconding the motion of the hon. member for Ottawa. I happen to know something of this transaction, and can state that Mr. Hubertus was the first originator of the scheme for the construction of a railroad between Toronto and Ottawa. I know

that he has expended a very large sum in this connection, and has received but very small remuneration—I think only something like \$1,000—and that he was to receive \$2,000 of stock from Sir Hugh Allan.

Mr. CURRIER. He has received nothing.

Mr. WRIGHT. Well, if he has received nothing, I think his present claim is a just one. The promoters have derived all the advantages from his outlay and labor in the furtherance of this scheme, and I think he should be paid a fair amount in return.

Mr. HAGGART. I would like to say a few words in favor of the motion of the member for Ottawa. I live on the line of this road, and know that the gentleman whose claim he advocates, was the first promoter of this railway. Mr. Hubertus went to a great deal of trouble and expense, and spent much time in promoting this scheme; and I think that the company that builds that road should find some means of remunerating him, he being comparatively poor, for the services he has rendered.

Mr. WHITE (Cardwell). I cannot help congratulating my hon. friend from Ottawa on the principle he has just discovered—that of the compensation of original promoters—if this claimant was the original promoter.

Mr. WRIGHT. He was the original promoter.

Mr. WHITE. But even so, the charter has gone through half-a-dozen different hands since he had it. He had the charter originally, perhaps, but made an arrangement with Sir Hugh Allan for the purpose of handing it over to him for a certain remuneration.

Mr. WRIGHT. And never got paid.

Mr. WHITE. Mr. Hubertus was promised some paid-up stock of the company for his services. He may never have got it, but if not, he has a claim against Sir Hugh Allan yet.

Mr. WRIGHT. The idea of compensation in such cases has been fully recognized. The present promoters have offered to pay Mr. Gooderham all his expenses, should that prove acceptable, and all opposition to the Bill cease. Mr. Hubertus has never opposed the Bill, but simply comes before the House and asks compensation for the amount expended by him in connection with this project.

Mr. BOULTBEE. This motion affords a beautiful illustration of the difference it makes to some parties as to whose ox is gored. The hon. gentlemen who move and second this motion, voted against a much more just one a little while ago, and against respecting the vested rights in the matter, though we have heard a good deal about vested rights since. It seems to me that personal interest has something to do with their course.

Mr. CURRIER. The case is quite different. Mr. Gooderham and his friends refused to accept compensation, whereas Mr. Hubertus is willing to accept it.

Mr. BLAKE. Will my hon. friend (Mr. Currier) agree to move for compensation to anybody that will take the money?

Amendment lost on division.

Mr. McCUAIG. I have a motion in amendment to move and will briefly state its object. In 1874 certain parties managed to get a railroad charter for a railroad from Toronto to Peterborough, to connect with Quebec. It was called the Huron and Quebec Road. In 1875 the company was organized, Mr. Cameron, the gentleman who has charge of the present Bill, became a director of that road, and so remained till 1877. He omitted to pay certain calls and his stock was forfeited. Some time afterwards Mr. Howland

Mr. WRIGHT.

became a director in Mr. Cameron's place, having obtained his stock. Matters so remained till 1880, when Mr. Gooderham, anxious to proceed with this work, paid Mr. Howland \$33,500, for his own rights and the rights and interests of all those associated with him in the charter granted in 1874, and proceeded in good faith with the construction of the road from Toronto to Ottawa, having already made a trial line over the whole distance of 235 miles, and staked 80 miles of that distance, for the purpose of going on with the work in the early spring. The principal men now petitioning for this charter (Messrs. Howland and others) are the men to whom Mr. Gooderham paid the \$33,500 cash for the charter, under the provisions of which he is prosecuting the work, and which Mr. Howland with others, by this Bill now before the House, hope to defeat. The Gooderham parties have shown, from the moment they became proprietors of this charter, good faith in endeavoring to carry it out. I do not believe that Parliament should abrogate its functions and transfer them to the Railway Committee whose decisions are generally controlled by half-a-dozen members. When a charter has been obtained the holders should be upheld in their endeavors to carry the work to a successful conclusion. Parliament grants too many charters, some of them of a speculative character, the parties obtaining them having no desire to carry out their terms; yet, when men enter *bonâ fide* into the task of building a road, they are met with the opposition of the very members who obtained the charter. It looks very much as if this was one of those cases. It has been said that the parties are moved by only one consideration, that of securing railway communication with Quebec. It is most important that such connection should be formed; but the people should be certain that the parties were acting in good faith. The parties declared that they did not ask for municipal bonuses; but that was a mere statement, and no security was given. I beg to move in amendment:

That the said Bill be not now read the third time, but that it be referred back to the Committee with instructions to add a clause providing that this Act shall go into force on 1st January, 1882, but not then if the Toronto and Ottawa Railway Company shall have satisfied the Governor in Council that they are proceeding *bonâ fide* with the construction of their railway under their Act, and that they will complete their line from Toronto to Ottawa within three years.

Mr. PLUMB. I do not think we have been exactly doing justice to ourselves in the hurried manner in which we have allowed this Bill to be forced upon the House. We have been told we are to grant a charter for a railway to run in a direct line to Ottawa on the ground that it is a great public necessity. I admit that necessity. We are told we are to grant the charter because another charter has been in the hands of certain parties for several years, and their *laches* did not entitle them to the consideration of the House. I regret to say that it is a statement not borne out by the facts, according to the manner in which it has been presented to the House. We never have had any measure presented before the Railway Committee with more skill, determination, and I might call it by some other name, than was this Bill. There was a time when a member could rise in the Committee and ask for explanations without his being accused of wasting the time of the Committee, when we had not a powerful lobby in the Committee who occupied nearly the whole time.

Some hon. MEMBERS. Order.

Mr. PLUMB. If I am out of order I will endeavor to keep within the rules. I believe that those who desire, in the public interest, to have this road built, are doing themselves great injustice by the course they are adopting. I have no doubt it is a matter of great interest to Quebec, and I have seen many hon. members from that Province voting with the promoters of this Bill. In granting this charter they should secure a direct line, but they have not secured it. They should see to it that they are not playing

into the hands of a company by granting it a charter, to be hawked about from hand to hand as a piece of merchandise. They should see, moreover, that they were not interfering with the rights of others, who were acting in good faith. Hon. members, I think, will hereafter regret the hasty manner in which they have overridden rights which should be respected. I must disclaim a desire to do anything which will obstruct the construction of the road which I believe the public desire, and which I believe will be built, into whatever hands the charter may pass. But I wish to secure for the public solely, in whose interests I am acting, the best and most practicable line; and I say that there is no evidence to show that the gentlemen who hold another charter, men of known honor and integrity, are trifling with the important interests in their hands, and no reason why we should not accept their statement when they say that they are not working in connection with any other line. I say that we are bound under the principles which govern and which ought to govern the Legislature of the Parliament of Canada, to support the resolution of my hon. friend from Prince Edward (Mr. McCuaig). To my friends from Quebec, I would say that there is not the slightest danger but that their road will be built; it is a project whose success will be assured alike by the power of public necessity and the powers connected with rival railway interests. The line which I have taken in regard to this matter, has been misrepresented and misconstrued before the Railway Committee and elsewhere. I have not been, nor am I now desirous of obstructing the prosecution of this railway, and I desire to place on record my view, that we will be doing ample justice to the promoters of this Bill, whose whole contention was that those who hold another charter were not acting in good faith—if we afford them an opportunity of stating that they were acting in good faith. Hon. gentlemen say there is an alternative proposition, but it is the alternative which a man is given when a pistol is pointed at his head, and I for one, disbelieving in such coercion, shall heartily support the resolution of my hon. friend from Prince Edward (Mr. McCuaig).

Mr. CAMERON (Victoria). I have only a word or two to say with reference to the amendment. As I understand the logic which sometimes, though not always, distinguishes my hon. friend who has moved it, he says because the Toronto and Ottawa have done nothing in ten years, we should give them a little time longer. My hon. friend from Niagara complains of the hurried manner in which the Bill has been forced through the House; but surely a private bill which was discussed in the Railway Committee for three whole days, and to which discussion my hon. friend from Niagara contributed his share, cannot be said to be hurried through the House. The hon. gentleman says, also, that there is no danger but the road will be built by somebody; but if the proposition of my hon. friend from Prince Edward (Mr. McCuaig) is carried, it means postponement for another year. If the House is of opinion that such a postponement should take place it will support the amendment, but I must ask my hon. friends to vote it down.

Mr. MACDOUGALL. I find myself in a position of some little difficulty with reference to the proposition now before the House, and I will shortly explain how that difficulty arises. During the early part of the discussion with respect to this application by certain gentlemen for a charter over this line of railway from Ottawa to Toronto, I received from the County Council of my county a resolution asking me, if I could see it to be my duty to do so, to support the Quebec and Ontario Railway charter. I was somewhat surprised at this, and I made some enquiries. From the information which I received I came to the conclusion that the Credit Valley Railway, which passes through that constituency, had some prospective interest in the proposed charter, and I therefore understood the way

in which the resolution came to be passed. I have since had communications from leading gentlemen in the constituency bringing the same pressure to bear. I came to the conclusion that some one interested in the application for the charter had set in motion these movements in my county for the purpose of bringing a little pressure to bear upon me, and I confess that they did not influence my judgment very much with respect to the propriety of this Parliament granting a charter under the circumstances. I find now that the question is before Parliament and we are called upon to sanction by our action the propriety of granting a charter for a railway over a section of the country which is already notoriously occupied by an existing company engaged in the actual prosecution of the work. I am of the opinion that this is not a proper course of proceeding for the Parliament of this Dominion to take. I believe that while we recognise the right of the Local Legislatures to grant charters for the construction of railways, it is our duty to respect the action of the Local Legislatures in this direction. In this case I deny that there has been any *laches* on the part of the present corporators for the construction of this railway, which can fairly be urged in favor of those who now come in and ask the franchise privilege and right to occupy the territory and construct the railway—dealing with the question in that simple view. I think with regard to the gentlemen whose names have been mentioned in connection with the charter of the Toronto and Ottawa—the gentlemen who purchased and sold the rights of those who are said to have been guilty of *laches*—if they were here in their own persons urging the rejection of this measure, we should not feel disposed from their manner of dealing heretofore to pay much attention to them. They have had a charter in their hands for a long time, and the country cannot be expected to wait, even for a Session, for gentlemen who may hold a charter for merely speculative purposes. But it was established before the Railway Committee, that the present owners of the charter have proceeded with due diligence; that they are known to be men of high character, and capitalists of considerable means; that they are proceeding with the surveys, and have located some fifty or sixty miles of the road; that they have valuable contributions towards the construction of the road, in the way of municipal grants; and that they have asserted, over and over again, that there is no covert understanding between them and rival lines for the purpose of delaying the construction of this road. I think we are bound to take a statement of that kind, considering their standing in society. In the face of that, to grant an application of other gentlemen, no better than these so far as I know, and with their hands already full of gigantic railway projects—I say to grant a right to such applicants, in derogation of this previous right so granted and recognized by this Parliament, is not an expedient or proper thing for Parliament to do. I was absent from the House when the division took place a short time ago, but I understand that some amendments have been carried and others rejected, but it seems to me that the motion of the hon. member for Prince Edward (Mr. McCuaig) to defer giving force to this charter until the *bonâ fides* of the holders of the present local charter has been proved, is a reasonable proposition, and that it preserves the dignity of Parliament, and the honor of Parliament, in dealing with a matter of this kind. I shall, therefore, notwithstanding the request of my constituents for whatever reason, feel it my duty as a member of Parliament, representing not one constituency but the whole people of this Dominion, and having, so far as my vote is concerned, its honor and dignity in my possession, to vote for the amendment of my hon. friend.

Mr. GIROUARD (Jacques Cartier). As a member of the Committee of Railways and Canals, I voted in favor of granting this charter. I considered at the time, and I still

consider, that no due diligence had been used by the promoters of the Ottawa and Toronto charter. They have a charter of ten years standing. The road has not been built, in fact very little has been done in that direction. What did we do last year, when the hon. member for Huntington (Mr. Scriver) moved for the incorporation of the Huntington and Montreal Railway Company? We required from the proprietors of a previous charter a declaration that they would be in a position to go on with the building of the road within a certain time. If that declaration was not made, the Committee expressed their willingness to grant another charter. What has been the course followed by the proprietors of the existing charter in this case? Did Mr. Gooderham and Company come forward and say they were going to build this road within twelve months? No. He sent a letter to the Committee stating that he was not acting in collusion with the Grand Trunk, that was all; not a word about his intention, about his readiness, to build that railway within ten months. Not only was there no proof of due diligence, but there was proof of a want of diligence; and further from that there is no declaration on the part of the owners of that charter that they intend to go on with the execution of the work. For that reason I shall vote against the amendment.

Mr. MACDONELL (Lanark). This railway runs through my county and my constituents are very materially interested in it. When this Bill was first introduced I was very much in favor of it, but it has now a different form. It is asking for powers to run a railway between Toronto and Ottawa, at or near Carleton Place. When it went through the Committee on Standing Orders I supported it in that form. When it was introduced into the Railway Committee, certain alterations were agreed to, one or two of which I object to, and I think the people of Quebec will also object to them when they understand their purport. When it went before the Railway Committee, the clause providing that the road should run *viâ* the towns of Peterborough and Perth was amended, giving the company power to construct a branch line. The effect of that alteration in the original Bill is to deflect the line some ten miles south of the village of Carleton Place. Under the old charter held by Gooderham & Co., the town of Perth had granted some \$90,000 to have the railway run by the way of Perth and the city of Ottawa. This new clause must have been inserted into this Bill some way or other through the influence of the town of Perth. This clause really gives this company power to build a line ten miles longer by going *viâ* Perth, and if we sanction this arrangement we are wronging the people of Quebec by giving them a longer line of railway than the present charter would give them. According to the present charter, the line is to run from the city of Toronto *viâ* the town of Peterborough, in a direct line, as near as possible to Ottawa, which line is nine or ten miles shorter than the one now proposed. I am aware that these clauses were not inserted at the suggestion of the promoters of the Bill, for their map shows a direct line between the cities of Toronto and Ottawa, and Mr. Gordon informs me that it is ten miles shorter than will be the case under the new clause. Then why should this Parliament accord a charter to the town of Perth to have a line running by that town while sacrificing another line ten miles shorter? For this reason I think some consideration should be shown to the charter which is now on the Statute-book. The hon. member for Jacques Cartier (Mr. Girouard) says that charter has been in existence for ten years; true, but Mr. Gooderham and his company have only had it in their hands for a short time. They have surveyed the road 225 miles, and have actually located more than ten miles, and are now working at it. I think it is only fair that the men who have got the first charter, and are now doing the best they can to carry it into effect, should have some consideration shown them, and some further

Mr. GIROUARD (Jacques Cartier).

time given them, as proposed by the resolutions by the hon. member for Pictou (Mr. McDonald). I am sure that the interests of the people of Quebec will suffer if this House grants the proposed charter. As a commercial line, the one first proposed is certainly worthy the support of the members from that Province.

Amendment lost on division.

Mr. MACDONELL (Lanark) moved:

That the Bill be not now read the third time, but that it be recommitted, with instructions to strike out of the third section the words, "and Perth, with power to construct a branch line to the town of Lanark."

Amendment negatived on the following division:—

YEAS:

Messieurs

Anglin,	Gillmor,	Paterson (Brant),
Bain,	Hilliard,	Pickard,
Béchar, d,	Huntington,	Platt,
Blake,	Jackson,	Robertson (Shelburne),
Bordea,	King,	Rogers,
Burnham,	Lane,	Ross (Middlesex),
Burpee (St. John),	McDonald (Vict., N.S.),	Rymal,
Burpee (Sunbury),	Macdonell (Lanark),	Scriver,
Cameron (Hurou),	MacDonnell (Inverness),	Snowball,
Casey,	Mackenzie,	Trow,
Charlton,	McQuaig,	Weldon,
Fleming,	McDougall,	Wheler,
Gillies,	Mills,	Yeo.—39.

NAYS:

Messieurs

Allison,	Fitzsimmons,	Merner,
Arkell,	Flynn,	Montplaisir,
Bannerman,	Fortin,	Mousseau,
Barnard,	Gault,	Muttart,
Beaty,	Gigault,	Ogden,
Beauchesne,	Girouard (Jac. Cartier),	Ohvier,
Bergeron,	Girouard (Kent),	Orton,
Bill,	Grandbois,	Quimet,
Bolduc,	Guthrie,	Patterson (Essex),
Boultee,	Hackett,	Plumb,
Bourassa,	Haddow,	Pope (Compton),
Bourbeau,	Haggart,	Pope (Queen's),
Bowell,	Hay,	Poupore,
Brecken,	Hesson,	Rinfret,
Brooks,	Hooper,	Robertson (Hamilton),
Brown,	Houde,	Rouleau,
Bunster,	Hurteau,	Royal,
Bunting,	Ives,	Ryan (Marquette),
Cameron (Victoria),	Kaulbach,	Ryan (Montreal),
Carling,	Killam,	Rykert,
Caron,	Kilvert,	Schuliz,
Cimoz,	Kranz,	Shaw,
Colby,	Landry,	Skinner,
Costigan,	Langevin,	Smith,
Coughlin,	Lantier,	Sproule,
Coupal,	Little,	Stephenson,
Conrso,	Longley,	Sutherland,
Currier,	Macdonald (King's),	Tassé,
Cuthbert,	Macdonald (Sir John),	Tellier,
Daoust,	McDonald (Cape Breton),	Thompson,
DeCosmos,	McDonald (Pictou),	Tilley,
Desaulniers,	McCallum,	Valée,
Desjardins,	McCarthy,	Vanasse,
Domville,	McInnes,	Wade,
Doull,	McKay,	Wanace (Norfolk),
Drew,	McQuade,	Wallace (York),
Dugas,	McRory,	White (Cardwell),
Dumont,	Manson,	White (Renfrew),
Elliott,	Massue,	Wright.—118.
Farrow,		

Bill read the third time and passed.

BILLS INTRODUCED.

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

Bill (No. 84) to amend the Consolidated Railway Act (from the Senate).—(Mr. McDonald, Pictou.)

Bill (No. 85) to incorporate the British and Colonial Insurance Company (from the Senate).—(Mr. Beaty.)

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

## AFTER RECESS.

## PRIVATE BILLS.

The following Bill was further considered in Committee, and reported :—

Bill (No. 18) to amend the Act incorporating the Souris and Rocky Mountain Railway Company.—(Mr. Boulton.)

The following Bill was considered in Committee, reported, read the third time and passed :—

Bill (No. 63) to incorporate the Montreal Board of Trade and Exchange (from the Senate).—(Mr. Girouard, Jacques Cartier.)

## CREDIT FONCIER OF THE DOMINION OF CANADA.

House resolved itself into Committee on Bill (No. 32) to incorporate the Credit Foncier of the Dominion of Canada.—(Mr. Ives.)

(In the Committee.)

Mr. COURSOL. While I am fully aware of the importance to the country of such societies as the one before the Committee—loan societies, building societies, insurance companies, &c.—I wish to call the attention of the House to the fact that we are about to pass a measure which, as a legal man, I have no hesitation in saying is contrary to the Confederation Act. One of the fundamental principles of our Constitution in regard to the relations between the Federal and the Provincial Legislatures, as laid down by the Earl of Carnarvon, when the British North America Act was under discussion in the Imperial Parliament, will be violated, in my humble judgment, if we should pass the Bill now before the Committee. We must not forget that the different Provinces of this Dominion have their own Legislatures, and if we wish to preserve the autonomy of the Provinces, and to make the Provinces satisfied with their legislative bodies, and with the powers of the Federal Parliament, we should carefully guard against any legislation being mistaken by this Parliament which properly comes within the purview of the Local Legislatures. There is already a good deal of dissatisfaction on this subject, and I hope that before long a decision will be given upon it by the highest court of the country, as it is high time that the question should be put beyond dispute. I am not aware whether the Minister of Justice has been asked for, or whether he has given an opinion on this subject; but it is probable that one day or the other the law officers of the Government will be called on to give an opinion on the subject, and that the Supreme Court of the Dominion will be called on to render a decision as the highest Court of Quebec has already done. Before quoting the opinion of an authority which will be respected by all—I mean the late Minister of Justice, Chief Justice Sir A. A. Dorion—the Committee will, perhaps, allow me to read an extract from the speech of Earl Carnarvon in the House of Lords on the 19th of February, 1867 :

“My Lords, I now pass to that which is, perhaps, the most delicate and the most important part of this measure—the distribution of powers between the Central Parliament and the local authorities. In this, I think, comprised the main theory and constitution of Federal Government; on this depends the practical working of the new system. And here we navigate a sea of difficulties. There are rocks on the right hand and on the left. If, on the one hand, the Central Government be too strong, then there is risk that it may absorb the local action and that wholesome self-government by the provincial bodies, which it is a matter both of good faith, and political expediency to maintain; if, on the other hand, the Central Government is not strong enough, then arises a conflict of State rights and pretensions, cohesion is destroyed, and the effective vigor of the central authority is encroached upon. The real object which we have in view is to give to the Central Government those high functions and almost sovereign powers by which general principles and uniformity of legislation may be secured in those questions that are of common import to all the Provinces; and, at the same time, to retain

for each Province so ample a measure of municipal liberty and self-government as will allow and indeed compel them to exercise those local powers which they can exercise with great advantage to the community. In Australia there is at present a tendency towards the disintegration of the vast territories which are called colonies, because those who live at great distances on their extreme borders complain that they cannot obtain from the Central Parliaments the attention which they require. In New Zealand, on the other hand, an attempt—and not without success—has been made to combine considerable local powers with a general Government at the centre.

“The principal subjects reserved to the Local Legislatures are the sale and management of the public lands, the control of their hospitals, asylums, charitable and municipal institutions, and the raising of money by means of direct taxation. The several Provinces, which are now free to raise a revenue as they may think fit, surrender to the Central Parliament all powers under this head except that of direct taxation. Lastly, and in conformity with all recent colonial legislation, the Provincial Legislatures are empowered to amend their own constitutions. But there is, as I have said, a concurrent power of legislation to be exercised by the Central and the Local Parliaments. It extends over three separate subjects—immigration, agriculture, public works. Of these the two first will in most cases probably be treated by the Provincial authorities. They are subjects which their ordinary character are local; but it is possible that they may have, under the changing circumstances of a young country, a more general bearing, and therefore a discretionary power of interference is wisely reserved to the Central Parliament. Public works fall into two classes: First, those which are purely local, such as roads and bridges, and municipal buildings—and these belong not only as a matter of right, but also as a matter of duty, to the local authorities. Secondly, there are public works which, though possibly situated in a single Province, such as telegraphs, and canals, and railways, are yet of common import and value to the entire Confederation, and over these it is clearly right that the Central Government should exercise a controlling authority.”

Now, what are the powers of the Local Legislatures? The subject of emigration, agriculture and public works belong to the Dominion and Local Parliaments concurrently. I ask this House whether this Bill comes under the head of either of these three subjects. Are we prepared to take upon ourselves a jurisdiction that belongs to the Local Legislatures? The Dominion Parliament, I may be answered, has already passed laws of this description, and they have not been repealed. But if they have not been repealed it is for the reason that they have not been to any Court. One point, however, was raised in Quebec, I refer to the case of *McClanaghan vs. the St. Ann's Mutual Building Society*, Montreal, a judgment of the Superior Court was appealed to the Court of Queen's Bench composed of Justices Dorion, Monk, Ramsay and Cross. The latter Court dissolved the injunction which the appellant had obtained against the society. Chief Justice Dorion said :

“While these proceedings were pending in the Court below the Local Legislature of the Province of Quebec passed a Statute re-enacting, as to the Province of Quebec, all the provisions of the Dominion Act, and also another Statute ratifying all the proceedings adopted under its provisions. The last Act, however, was not to affect pending cases. These two Statutes, 43 Vict., Chap. 32 and Chap. 33, were sanctioned on the 31st October, 1879.

“The judgment has been rendered and the appeal taken since the passing of these two Statutes, and since the proceedings of the society to wind up their affairs have been ratified by the Quebec Legislature. We cannot agree with the Court below that the Dominion Parliament had the right to pass the Act 42 Vict., Chap. 48. This Act is not in the nature of an insolvency law, for it is intended to apply to all building societies, whether solvent or not. It is, therefore, essentially an Act affecting civil rights, which, under the provisions of the British North America Act, 1867, comes within the exclusive jurisdiction of the Local or Provincial Legislatures.”

Now, is this an Act which affects civil rights only? This Act is called the *Crédit Foncier Act*, which means borrowing money upon landed credit. It must be done by a mortgage made according to the laws of the Province where the mortgage is held. I may be told that if we pass this Act to enable the company to lend money in every part of the Dominion, the mortgage will be given according to the law of the Province in which the transaction is made. I say the thing cannot be done because the land upon which the loan is made must form part of the domain of such Province. I am aware that there is a general desire to favor this company on account of its lending money at so cheap a rate, but I do not suppose the members of this House can have any personal motives in passing this Bill, that they may be

enabled to borrow money themselves. I say that if we go on passing laws upon the principle of this Bill, which encroaches upon the jurisdiction of the Local Legislatures, we shall drive the Provinces into legislative union. It may be that certain parties would be willing that the Local Legislatures should waive their rights, if legislative union could thereby be promoted. But the time for legislative union has not yet arrived. The Local Legislatures have rights guaranteed them by the Confederation Act, and it is their bounden duty to defend those rights. I have no other object at the present moment in raising this discussion than to enter my solemn protest against this Act being passed by this Legislature. I desire that the rights of each Province should be respected. I am afraid of the encroachments that this Legislature is making upon the local bodies. If this Act is passed I am positive it will be appealed to the highest Court. In the meantime, perfectly convinced that this Act is unconstitutional, and believing that I am not alone in that opinion, I move that the Committee now rise, as I intend afterwards to move the six months' hoist.

Bill amended and reported.

#### CREDIT FONCIER FRANCO-CANADIEN.

House resolved itself into Committee on Bill (No. 31) to enlarge and extend the powers of the Crédit Foncier Franco-Canadien.—(Mr. Girouard, Jacques Cartier.)

Bill amended and reported.

#### SECOND READINGS.

The following Bills were read the second time:—

Bill (No. 79) to incorporate the Northern, North-Western and Sault Ste. Marie Railway Company.—(Mr. McCarthy.)

Bill (No. 80) to incorporate the Acalia Steamship Company (Limited).—(Mr. Longley.)

#### ONTARIO AND THE UPPER CANADA LAND IMPROVEMENT FUND.

Mr. HESSON enquired, Whether it is the intention of the Government to make provision, this year, for the payment of the sum found to be due to the Province of Ontario, under the name of the Upper Canada Land Improvement Fund, as ascertained by the award of Arbitrators appointed under and by virtue of the British North America Act; and if not, why not?

Sir LEONARD TILLEY. The question of the account between Quebec and Ontario is not yet settled. When it has been settled, the Government will enter upon the consideration of the subject of the hon. gentleman's motion, with a view to the settlement of the account of that Province.

#### ACCIDENT ON THE PRINCE EDWARD ISLAND RAILWAY.

Mr. JONES enquired, Is it the intention of the Government to make compensation (where compensation is justly due) to those persons who, being railway passengers paying fare, were injured by the accident on the Prince Edward Island Railway, which took place in August, 1880; or is there any distinction recognized between sufferers by that railway accident and those who have suffered by accident on other railways, as to their right to such compensation?

Sir JOHN A. MACDONALD. Those matters are in litigation under petitions of right, and we must leave the parties to the remedies they have chosen themselves.

#### PROPERTIES IN SOREL.

Mr. MASSUE enquired, Whether it is the intention of the Government to offer for sale the properties they hold in the town of Sorel?

Mr. COURSOL.

Sir JOHN A. MACDONALD. The Government have no specific intention to offer those properties for sale; but if any applications be made for any portion of the ordnance properties at Sorel, and if the Government think it for the public interest to entertain them, they will do so.

#### PAYMENTS TO ONTARIO JUDGES.

Mr. KAULBACH, in the absence of Mr. BAKER, enquired, Whether any, and how many of the Judges of the Superior Courts in Ontario, receive from any and what source payments of money other than such as are appropriated to their use by law, viz., by the Parliament of Canada?

Sir JOHN A. MACDONALD. I believe the Judges of the Superior Courts in Ontario, receive an allowance of \$1,000 a piece, from the Ontario Government, as Commissioners under the Act.

#### BREAKWATER AT MISSISQUOI BAY.

Mr. KAULBACH, in the absence of Mr. BAKER, enquired, Whether it is the intention of the Government to place a sum in the Supplementary Estimates for the erection of a Breakwater at Missisquoi; and if not, why not?

Mr. LANGEVIN. Inasmuch as the railway under construction in that region is some miles distant from Missisquoi Bay, the Government are not in a position to consider this question. When the railway reaches Missisquoi Bay the matter will be considered by the Government.

#### CONSTRUCTION OF A BRANCH LINE ON THE INTERCOLONIAL RAILWAY.

Mr. LANDRY enquired, Whether the Government had taken into consideration the petition signed by one hundred and seven members of the House of Commons, and the several other petitions of the taxpayers of the country, asking for the construction of a branch line of the Intercolonial from St. Charles to St. Joseph de Lévis, as well as the proposal of the Lévis and Kennebec railway Company by which the directors of the said company offer to build, conjointly with the Government, a part of the said branch line; and what action the Government intended to take upon the whole matter.

Mr. LANGEVIN. Mr. Speaker, I have the honor of informing the hon. member that the Government has taken into consideration, and is still considering, the petition and proposal contained in the question he has just put. I am not prepared to give the hon. member a final answer to day, but before the close of the Session the Government will give him an answer which I think will satisfy him.

#### QUEBEC AND LEVIS FERRY BOATS.

Mr. LANDRY moved for copies of all correspondence exchanged between the Government and sundry individuals with regard to a system of ferry-boats between Quebec and Lévis, to connect the Intercolonial with the Quebec, Montreal, Ottawa and Occidental Railway, immediately after the completion of the proposed branch of the Intercolonial from St. Charles to Lévis. He said: Mr. Speaker, in making this motion, I wish to call the attention of the Government to the important question which arises from it. The answer just given by the Government to a question put by me, as to whether it had given its consideration to a petition signed by 107 members of this House, concerning the construction of a branch of the Intercolonial from St. Charles to St. Joseph de Lévis, as well as to several petitions signed by the taxpayers of the country, this answer, whatever the hon. Minister of Public Works may say, is not such as to

satisfy me and has in no way the character he chooses to attribute to it. By that petition we ask that a branch road be built off the Intercolonial from St. Charles to St. Joseph de Lévis, and what is the answer we get. Nothing to show that our request is granted. This is not the first time, Mr. Speaker, that this question has come before the House; it is not the first time that the Government's attention has been called to it. When, in 1879, the Government was buying that portion of the road extending from Rivière du Loup to the Chaudière curve, the question was in a way brought before the House. In a speech delivered at the time by the hon. Minister of Public Works, now the Minister of Railways, this branch and its usefulness were incidentally referred to. As soon as the Government had purchased that portion of the road, petitions were circulated for signature, numerous petitions were signed throughout the country, and sent to the Government; amongst others, I will mention a petition forwarded by the Boards of Trade of Quebec and Lévis, which, amongst others, contained the following allegations:—

“It would also prove of great advantage to the Intercolonial Railway to have easy communication with the Port of Quebec, especially after the extensive harbor works now in course of construction will have been completed, as they certainly favor the development of the trade of the Dominion.”

Further on, the Board of Trade called the Government's attention to the following facts:

“That the Corporation of the Town of Lévis have informed the Lévis Board of Trade that they would assist the proposed undertaking in granting to the Government easy terms for the right of way on their property as the Government may require for the construction of a station and freight sheds.”

Not only did the Boards of Trade of Quebec and Lévis take up the question, but in all the municipalities between Lévis and Gaspé, the municipal councils met, passed resolutions approving this plan of a branch of the Intercolonial from St. Charles to Lévis, and asked the Government to build it. On the 8th March of last year, the question came up before this House. I made a motion at the time, asking for a report of the survey made in 1879. On that occasion the hon. Minister of Railways stated that the importance of the undertaking had not escaped the attention of the Government, that it would have surveys made, that it had already made surveys to ascertain what were the obstacles likely to be encountered, what would be the grades, and what would be the approximate cost of construction. Such was the answer of the Minister of Railways. During the month of March, a deputation composed of several members of this House, directly interested in the building of the road, waited upon the hon. Minister of Railways and called his attention in a special manner to the subject, when he there and then promised the deputation that a new survey should be made. This survey took place during the vacation, between the Session of March–April, 1880, and the 9th December of the same year, and during that interval fresh petitions were circulated for signature throughout the whole country. At first, we had resolved upon asking the municipal councils to favor the scheme, but the people thinking that direct action on their part would have a greater influence with the Government, signed petitions to it themselves. On the 15th December last, I had the honor to move in this House for the report of the survey made in 1880. It is now three months since I made this request, and unfortunately we have not yet been able to have the report laid upon the Table of the House. This report was made on the 19th January last, a month and a half or nearly two months ago. During that time, Mr. Speaker, the deputation became exercised, and a petition was signed by 107 members of the House, who asked the Government to grant the said branch. When I mention that that petition was signed by 107 members, it is to show, Mr. Speaker, that it was signed by a large majority of the House. Unfortunately,

I had not the time of seeing all the members, but I feel sure that many more would have signed the petition with pleasure. But the Session was rapidly approaching its end, and I wanted necessarily to present the petition before the last day of the Session. That is why I have not been able to get it signed by as large a number as I would have wished. However, such as it is, leaving the Ministry aside, there is, in favor of that petition, a majority of 27 of the House as it stands to-day. Such is the petition that is before the Government. In the meanwhile, a new proposal has reached us. The Lévis and Kennebec Company has offered the Government to build a portion of the road, the most expensive and difficult portion at that, and, which starting from deep water, goes to St. Joseph de Lévis. That part of the road comprises about four miles, and passes through the most valuable properties, and that is the part the Lévis and Kennebec Company offer to build in conjunction with the Government. That Company has the intention of extending its road to deep water, starting from near the St. Henry station, on the Intercolonial, and coming down by a cutting to St. Joseph de Lévis. On this route, there are four miles which extend in the same direction, and almost through the same land as that through which the proposed branch would pass. For this reason, the Lévis and Kennebec Company thought it was to its own advantage, as well as to that of the public, to unite with the Government in order to build jointly that part of the road. There remains more behind; should the Government and the Company fail to agree on the subject, the Lévis and Quebec Company offers to build, the Government to share half the expense, the whole of the line, on condition that the road shall start from St. Henri, about six miles above St. Charles station. Mr. Speaker, I will not discuss the merits of the question, the importance of which has been proved by the action of the membership of this House, of the Board of Trade, and of the people. From St. Charles station to Lévis the distance would be 12 miles according to the proposed road; with the Intercolonial Railway such as it stands to-day, *i.e.*, having its terminus two miles above the proposed terminus, the distance between St. Charles and Lévis is 23 miles, and that distance would be increased to 25 miles, were the present station of the Intercolonial to be moved to the place where it will be when the branch road is completed. There is, therefore, in favor of the proposed line a difference of 13 miles on a distance of 25 miles. This makes an enormous difference in favor of the proposed line. Now, I will not urge that local interests alone demand this line; there are greater interests at stake than that; there are interests of traffic and trade to be considered, and these must take precedence of local interests. Moreover, those who signed our petition, whilst belonging to other Provinces, did not, whilst doing so, think only of local interests; they raised a corner of the curtain which hides the future from our gaze, and saw that all the interests of the Dominion were at stake in the settlement of that question. At the present time there is from here to Halifax a distance of 1010 miles by the Intercolonial Railway, which goes to the Chaudière, and thence by the Grand Trunk; whereas, were the St. Charles Branch built, it would enable us, by means of a system of ferry-boats, to shorten by 84 miles the distance to Ottawa by the North Shore Railway; the distance would then be 926 miles only. Well, Mr. Speaker, what is merely a pleasure for the traveller, becomes a necessity for trade purposes, and trade will give its preference to the shortest road. It is from that point of view that the hon. members of this House have considered the question, and they trust that the hopes held out to them by the Government through the hon. Minister of Public Works will not be vain ones. There are too many interests at stake that we should think for one moment that the Government will not accede to the wishes of the population of the whole country and of this

House. To sum up, Mr. Speaker, we have to-day, to strengthen our hopes, a question wherein are wrapped up several interests; on the one hand we have the corporation of Lévis offering to enter into an agreement with the Government so as to sell to it the land necessary to the building of this road at the lowest possible price. We have the powerful support of the Boards of Trade in various localities of the Province. We have, moreover, a petition largely signed by the members of this House, and I will add that we have a formal promise, made to us by the Government last year, and we hope that this year the Government will fulfil it. In conclusion I loudly proclaim, without fear of being in any way contradicted, that the Government is in honor bound to fulfil a promise solemnly made. It promised us this branch road; let it grant it to us, if it values its word and its honor.

Motion agreed to.

#### CLAIM OF JOSEPH CHARLES LISLOIS.

Mr. LANDRY moved for copies of all correspondence exchanged between the Government and Mr. Joseph Charles Lislois, with regard to a claim put forth by him to recover a sufficient amount of compensation for the loss of one of his buildings by fire; also copy of the report of the official arbitrator to whom that claim had been referred. He said: In the month of September, 1879, a barn belonging to a certain Mr. Lislois, situated on the line of the Intercolonial, was destroyed by fire. He pretended that the fire was set to it by one of the engines of the Intercolonial. An enquiry was held, and the truth of this assertion was proven by facts. The official arbitrator visited the spot and drew up a report establishing that the said barn had been destroyed by a spark from the funnel of one of the locomotives. Mr. Lislois then filed his claim with the Government; in reply, he was told that the Government was not bound to indemnify him, because it appears that the funnel of the locomotive was furnished with metallic wirework, and that, consequently, if a fire did take place, it was very wrong of the fire to burn his barn. I think, Mr. Speaker, that when the Government looks at the report of the arbitrator, it will gracefully render justice, and that that man, having lost his barn through a fire set by one of the engines of the Intercolonial, will have no trouble in getting the Government to grant him compensation.

Motion agreed to.

#### UNION SUSPENSION BRIDGE ON THE OTTAWA RIVER.

Mr. TASSE moved for a statement of the expenditure on, and revenue derived from the Union Suspension Bridge on the Ottawa River from 1867 to 1st January, 1881. He said: Mr. Speaker, it is useless to speak of the importance of the bridge referred to in the motion I have just made. That bridge is well known to all the members of this House. It is a bridge that has an inter-provincial character, binding as it does the Provinces of Ontario and Quebec together. I think, Mr. Speaker, that it is about the only bridge, perhaps it is the only bridge, that pays a toll to the Federal Government. On the same Ottawa river, at Portage du Fort, there is another bridge which spans the Ottawa, and which does not pay any toll. I believe that some years ago the tolls demanded were reduced one-half, and I think that the time has come to abolish them entirely. I think that by abolishing the tolls demanded on the Chaudiere bridge the Government would grant the petition of thousands and thousands of people who are compelled to use it. I do not know what has been the revenue derived from the bridge for a certain number of years, but according to last year's statement, I think there is a considerable surplus over the expenditure. Under these circumstances, Mr. Speaker, I

Mr. LANDRY.

think that the Government should consider the propriety of opening this important bridge to the public, free of tolls, as it has an inter-provincial character, and binds together the Provinces of Ontario and Quebec.

Mr. WRIGHT. I trust that the Government will grant the request which the hon. gentleman has made. The subject is one of great interest to the constituency I represent, as the bridge is the main link connecting between the Provinces of Ontario and Quebec, and between the City of Hull and the Capital of the Dominion. Sir, I have been credibly informed that the tolls collected on this bridge would more than pay for the original cost of construction, and I would most respectfully submit to the hon. Minister of Public Works that it would be only right and fair that this bridge should be declared a free bridge. Many years ago a bridge was built over the Ottawa at this point by the late Colonel By, of the Royal Engineers, at the time of the construction of the Rideau Canal. Subsequently the present structure was erected, and since that time tolls to a very considerable extent have been collected; but I think the time has arrived when the Government should declare this bridge free to the public. For my own part, the farmers of my county furnish the citizens of Ottawa with a large amount of supplies, such as hay, grain, wood and other articles of agricultural produce, and I think it would be well if this Legislature and the Local Legislatures might take into consideration the necessity of removing the tolls from those main highways, so that the farmers should not be taxed for carrying their produce to market. My own opinion is that these tolls and taxes on roads are survivals of a barbarous age when taxes were levied on men's hearts, when such imposts as ship money were collected; but such taxes as these, which were the ordinary sources of revenue of the Governments of that time, are incompatible with the light and civilization of the nineteenth century. The other day I was reading the adventures of a traveller in the wilds of Africa, who pointed out that each time he travelled through the dominions of these barbarous potentates, he was taxed for the privilege of wading through their muddy domains. We know that the bold barons of ancient times were in the habit of perching their vassals upon a convenient rock, from which they might swoop down and collect their tolls from passers-by. We have also the authority of the hon. member for Centre Huron (Sir Richard J. Cartwright) that the ancestors of the right hon. gentleman at the head of the Government, and of the hon. Minister of Justice—brave and gallant ancestors I am sure they were—were gentlemen of predatory dispositions, and that they collected their tolls in a remarkable, simple and summary manner. I think anyone who drives out in the vicinity of this city will be able to sympathize with the feelings of the Flemish traders, when the ancestors of these hon. gentlemen swooped down upon them, and when, on every occasion, they had to put their hands into their pockets and pay toll. I find, Sir, that in England all these tolls on roads and bridges have been removed. We all remember reading in the newspapers a few years ago about the great pageant, and the imposing ceremonials which took place when the Prince of Wales declared that the tolls on the great bridges leading into London should no longer be collected, and that those bridges should, for all time to come, be free to the people. I can imagine a ceremonial which would be much more interesting to us who are permanent or temporary dwellers in this little city, when His Excellency the Governor General, assisted by Her Royal Highness the Princess Louise—who we all hope will soon return to us in good health—when these exalted personages, aided, and I may say abetted, by the Minister of Public Works, shall proclaim that tolls shall no longer be collected upon this bridge, and that no such barrier to this perfect communication of the union between the stately Province of Ontario and the beautiful Province of Quebec shall no longer be permitted to exist. I think we may fairly

ask the Minister of Public Works to exercise that wise liberality of statesmanship, and that prescience which characterizes him, in bringing about the result which I am sure we all so much desire.

Mr. BROWN. I will have a great deal of pleasure in supporting the views of my hon. friend who has just sat down. We find that the Government are disposed to build the Murray canal, which will give a perfect channel of inland navigation from the ocean to the heart of Ontario, and as they intend to take the land required for that purpose I think the least they could do would be to remove the tolls.

Mr. CURRIER. I have much pleasure in supporting my co-representative of the city of Ottawa, and my hon. friend beside me (Mr. Wright) in the motion which is before the House. I believe the bridge in question is the only one over the Ottawa river upon which tolls are collected; and I believe the only means of free exit out of the city is by way of New Edinburgh. We should have a free means of egress at the western end of the city, especially as so many hon. members are accustomed to cross the river if for no other purpose than to visit my hon. friend from the county of Ottawa (Mr. Wright.) To say nothing of the expense, it is, as everyone knows, a matter of great annoyance to have to stop and pay these tolls. I hope the Minister of Public Works will see his way to abolishing these tolls.

Sir JOHN A. MACDONALD. The hon. member for Ottawa County has pressed the motion with his usual wealth of illustration, and we have had the knights and barons of predatory instincts brought in to prove that this bridge should be free of tolls. As to my Highland ancestors, I fear they did not have much to do with either bridges or breeches, and that the absence of those barbarous habiliments enabled them to wade without the necessity of bridges at all. The hon. gentleman says, we swoop down on the inhabitants crossing that bridge after the manner of the robber bands; but I think it is my hon. friend who is the robber in this case, in trying to get hold of a portion of the public revenue. My hon. friend has referred to the very eloquent speech of the Prince of Wales, upon the occasion of throwing off the tolls upon Waterloo Bridge, London; and if the hon. gentleman will be satisfied to have this bridge thrown open upon the same terms as was Waterloo Bridge, I, for one, shall not object. I think that the tolls were not taken off that bridge at the expense of any portion of the public revenue. I think the county of Surrey and the southern side of the river joined the city of London to pay that off. It was not out of the public Treasury that Waterloo Bridge was rendered free. If my hon. friend will take that as an illustration we can have no objection. I do not know whether other parts of the country will feel bound to take the same position.

Mr. WRIGHT. None precisely situated like this.

Sir JOHN A. MACDONALD. I know it is specially connected with both Provinces, and it may be well for Parliament to make that bridge a present to Ontario and Quebec in order to make it, not a golden or a silver link, but a free link, an elastic link. Of course, Parliament is paramount, and I suppose the hon. gentlemen will desire that it should still remain Government property.

Mr. WRIGHT. Certainly.

Sir JOHN A. MACDONALD. Then the Government should keep up the tolls, and keep up the bridge. I think the proposition is going a little further than this House would sanction. It is true that the bridge is a portion of the great highway between Ontario and Quebec, and I daresay that some arrangement might be made by which it should be free and open to the public. The simple question for the Government is in regard to the public Treasury, whether we can be justified in coming down to

Parliament and ask the Parliament to make a present of the bridge to the Provinces, and at the same time to keep it open to the people. Upon that question Government have not yet come to any conclusion, but they will take it into their consideration.

Mr. BLAKE. May I ask the hon. the Minister of Public Works whether he has any information as to the condition of this bridge, and as to how soon serious repairs may not be necessary upon it? I was told the other day, when I was crossing it, when it was swaying in a disagreeable manner, that it was reported the bridge needed repairs.

Mr. LANGEVIN. I am not surprised the bridge should have swayed to and fro when the hon. gentleman was passing over it. The bridge is examined three or four times a year. It was examined very lately, and was declared to be perfectly safe. The floor of the bridge requires to be renewed, and for that purpose I have asked for the sum of \$4,000. But even as it is, it is safe, and the wire and cables are in a perfect condition. I had them examined lately, because I was uneasy myself in passing over it.

Mr. BLAKE. You felt that motion too?

Mr. LANGEVIN. I have no doubt the motion was much less violent than when the hon. gentleman was passing over it.

Motion agreed to.

#### THE OFFICIAL REPORT OF THE DEBATES.

Mr. MACDONNELL (Inverness) moved the following resolutions:—

1st. That it appears by the Public Accounts that the cost to the country of the Sessions of Parliament is yearly increasing.

2nd. That such increase of cost is largely due to the increasing length of the said Sessions.

3rd. That it is the duty of Parliament to adopt every means consistent with ample and wise legislation, and the due discharge of public business, to curtail as much as possible the duration of its Sessions, and thus, in this respect, to retrench public expenditure.

4th. That it is the sense of this House, after several years of experience, that the publication of the *Hansard* offers irresistible inducement to many of its members to make unnecessarily lengthy and frequent speeches to the great prolongation of said Sessions.

5th. That the discontinuance of the *Hansard* would save the Dominion the sum of \$18,562.50 now paid for its publication, and the additional sum which would be saved by the consequent shortening of the Sessions, and would, besides, enable the Members of both branches of Parliament to return at a much earlier date to their homes and private business.

6th. That, therefore, the official reporting and publication of the speeches and debates of this House be discontinued after the expiration of the present Session of Parliament.

He said: In moving these resolutions I desire to disclaim all intention or desire to cast any reflection upon the manner in which the work of reporting and publishing the debates of this honorable House has been conducted this Session. I think this work has been done very efficiently, and has given a great deal of satisfaction. I am aware that many hon. gentlemen are loud in their complaints of the manner in which this work is done, but I think that if the speeches of many hon. gentlemen were reported *verbatim et literatim*, they would have much greater reason for dissatisfaction and complaint. For my own part, though I speak but rarely in this House, I find that I am reported better, perhaps, than I speak, and I have no doubt that many hon. gentlemen in this House can say as much of their own speeches. I have heard from hon. gentlemen on both sides of the House, both from those who are among the first speakers in the House and from those who speak but rarely, expressions of doubt as to whether it was prudent to continue the *Hansard*, whether the official reporting of the debates did not cost more than it benefitted the House or the country. There is but one chief argument in favor of continuing the *Hansard*, namely, that by it we have a record of all what is said in this House, a record of the views of hon. gentlemen upon every subject

that is brought before the House. I admit that after the debates are revised by the hon. gentlemen we have a tolerably correct record of what is said. But, Sir, admitting that, what are these reports worth? The only use to which they are put is to enable hon. gentlemen to contradict each other. During the present Session, and particularly during the lengthy debate on the Pacific Railway—lengthy, I contend, because of the existence of the *Hansard*—hon. gentlemen referred to the *Hansard* of this and of previous Sessions for the purpose of contradicting each other. Notwithstanding that hon. gentlemen were confronted on various occasions with their utterances of previous Sessions in contradiction to those of this Session, I have not known a single hon. gentleman to be dislodged from the position he took on that question; and I do not think it desirable that any hon. gentleman should be dislodged from a position correctly taken by him simply because he is confronted with his former utterances. If the existence of an official record of the debates tends to make a man persist in erroneous opinions, it would be better that we should not have it. Are the benefits to the House or the country from the existence of the *Hansard* commensurate with the large expenditure of \$25,000 a year required to keep it up? I say they are not. Some hon. gentlemen may contend that the *Hansard* is useful for the interpretation of Acts of Parliament. That is an untenable argument. If the laws passed in this House are so ambiguous or obscure that they must be interpreted by the debates of hon. gentlemen thereon, we must, to be logical, go further and incorporate those debates with the laws. I contend that the existence of the *Hansard* has a tendency to prolong the Sessions of Parliament, which is a much more serious matter than the cost of its publication. After an experience of nearly twenty years, I know there are many hon. gentlemen who address this House simply because they get their speeches recorded in the *Hansard*, and recorded in a manner which surprises themselves, and they are thus induced to try again. I have seen hon. gentlemen get up to make a speech for the first time, and give utterance to their opinions in the most tremulous and imperfect manner; and I have known them afterwards to show their speeches around among their fellows, expressing most profound surprise at their own eloquence. These hon. gentlemen ought to be aware that in many instances, at all events, these speeches were the productions of able reporters and not the hon. gentlemen themselves. It is in the interest of the country and of this House that the Sessions of Parliament should be curtailed as much as possible. There are many gentlemen well suited to occupy positions in this House who are deterred from offering their services to the country, owing to the great length of time they would be required to absent themselves from their business and their homes. As an educator of the people, as a vehicle by which the knowledge of the proceedings of this House is communicated to the people, the *Hansard* is of no value whatever. We must thank the able reporters in the gallery above us, to the number of eighteen or twenty, for making the people in all parts of the country acquainted with the proceedings in Parliament. Without intending to reflect on any of the reporters, I say that the services to the country of the reporters in the gallery are infinitely greater than those of the reporters on the floor of this House, while the former are not paid a single cent for their services; and if we had no official reporters here the press of this country would be encouraged to more perfectly discharge the onerous and important duties which they, its proprietors, impose upon themselves. I believe there is a feeling in the country against the *Hansard*. The great body of the electors very rarely, if ever, read it. Each hon. member receives three uncorrected copies, of which he sends away two and keeps one. He returns that copy to the reporter largely corrected—I will not say incorrectly corrected, but I do not think I would

Mr. MACDONNELL (Inverness).

be far from the truth if I did. Thus the reports that go to the country through the official *Hansard* are doctored reports of the utterances of hon. gentlemen. The sum of \$25,000 may appear to be a very trifling sum to this rich Dominion which has to-day a surplus of \$2,000,000; but there are many public works in this country, many public works in the shape of harbors and piers in the Maritime Provinces, to which one twentieth of that sum would be a very important boon, and yet when the hon. Minister of Public Works is asked for a trifling sum to assist those works, the answer invariably is: there is nothing in the Exchequer; although we can afford to expend \$25,000 on a matter which is of no earthly use, except for the amusement of hon. gentlemen by enabling them to cast at each other the reports of the past Session in order to contradict the utterances of the present Session. If we compare the speeches in our *Hansard* with those which we find in the *Hansard* of the English House of Commons, and those made in the House of Representatives of the United States, as recorded in the *Congressional Globe*, we find that the speeches of hon. gentlemen in this House, as a rule, are three times as voluminous. Should the motion, which I have the honor to submit to the House, not be carried, I think we shall have to adopt some measure in order to circumscribe the utterances of hon. gentlemen. Nothing has been more usual I am sorry to be obliged to say so, but I consider it my duty to refer to this matter—than to see hon. gentlemen, for three or four long, weary hours, utter the most insipid platitudes, the only effect of which was to clear the House to a great extent, and fill the smoking room and other rooms with hon. members. I know that many hon. gentlemen are opposed to the *Hansard*. I hope they will vote according to their convictions, and save to the country a large amount of money.

Mr. LANDRY moved the following amendment:—That all the words after "said Sessions" at the end of the fourth paragraph be struck out and replaced by the following:—

That it be resolved consequently, after the present Session of Parliament there be only published in the *Hansard* a synopsis of the speeches delivered in this House, thereby saving a considerable sum of money.

Mr. LANGEVIN. In reply to the hon. member, who made his motion in French, a thing I do not at all complain of, far from it, I must call his attention to the fact that his motion opens up a great difficulty. The hon. member wishes for a synopsis of the speeches. But who is going to make that synopsis, and what guarantee have we that the synopsis will be made so as to please the members of the House? That synopsis will have to be made either by officials of the House, by the reporters, or by persons connected with the press. Well, notwithstanding all the impartiality that may be attributed to these officials, the synopsis thus made will not reproduce the idea of the speaker, or it will contain but a part of what has been said, there being frequently left aside an essential part of the speech, or at least a part essential according to the idea of the speaker; therefore do I think that it is far preferable to spend a little more money and to report the speeches in full; for after all, to save a few thousand dollars to-day, will be found to be but false economy in the future, when one will have to refer to debates that took place at the present time. The hon. member may remember the debates that took place at the time of Confederation. It would be much to be regretted to-day, had we not those debates. Every day do we refer to the debates that took place at that time, in order to explain some portion of the Constitution; in order to show the object of the fathers of the Confederation; and if we had not the full report of these speeches such as they were delivered, we should oftentimes be puzzled to know what was the object, what was the intention, what was the idea of those who ruled the destinies of the country. It is even to be regretted

that, in England, where the matter was discussed at the conference, there were no reporters to transmit to posterity the speeches delivered, or the reasons for which charges were made at that period; to sum up, I think the hon. member would do well to withdraw his motion, and to allow a vote to be taken on the principal motion. The principal motion places the question before us in a perfectly open manner. The question is, do we wish the Parliamentary details reported, or do we not? Well, I think that hon. members themselves will decide that, if we want a report of what takes place in Parliament, we must have not only a part of the speeches, but the whole of them, as they were delivered. I understand that certain members pretend that the reporting of the debates tends to increase the length of the speeches, and prolong the Session. Well, hon. members have the remedy in their own hands. If we wish to shorten the Session, we must shorten our speeches; but I am still wondering who is the member of this House whom one could accuse of having made a speech longer than necessary, simply to see it reported in the Debates of the House? I do not think the hon. member could name a single one, and I do not think that he brought this charge against any member of this House. I know that long speeches are made, and, as for myself, I have been guilty of such a speech during the Session. Yet I do not think the hon. member proposed that amendment to prevent it being reported in the Debates, and, as a matter of fact, I have not looked at the translation, that was made at the time, of the speech that I delivered. I hope, therefore, that the hon. member will withdraw his amendment.

Mr. LANDRY. I have only a word to add to the motion I made in amendment. We have before us a motion asking that the *Hansard* be completely abolished. The reasons given are, perhaps, slightly true. It is useless to disguise the fact; there are many speeches delivered in this House, which would not be delivered were they not reported; the expense does not only consist in the printing, but also in the considerable time that members are kept in the House to continue legislating. It is not a loss of \$18,000 or \$20,000, but it is the time that is wasted. I do not favor the complete abolition of the *Hansard*, for I am aware that it is a precious source of information. When, as the hon. Minister of Public Works has told us with so much *à propos*, we wish to look up in the past interesting debates or questions which come up fresh again after a number of years, one is glad to have a book to refer to. Therefore do I say that the *Hansard* should be preserved, but it should be altered in such a manner as to cause to disappear the objection made to it. It is said this is not easy. It is true that it is not easy if one does not try; but it seems to me that the English *Hansard* is far less bulky than ours and that the speeches are not reported in full.

Mr. MOUSSEAU. I beg pardon, they are reported in full.

Mr. LANDRY. We may be under the impression that they are fully reported, but I believe that such is not the case. In the first *Hansard* the speeches were not reported in full; a mere *résumé* was given. I think that the word "synopsis," that has been used just now, does not meet the idea of my amendment. I want a *résumé*; the papers are published every day, and no one complains. When there are complaints, they are plainly heard in this room. Complaints have been made against the present system of the *Hansard*. At the present time the printer is blamed; it is neither the fault of the translators nor of the reporters; it is the fault of the printer. At any rate, the French *Hansard* is two months behind. Here lies, I think, a more serious objection against the publishing of the *Hansard*; and I think that notwithstanding what has been said, a concise *résumé* would answer the purpose as well, and that a large sum of money would be saved to the country.

Mr. WHITE (Cardwell). The statement contained in the resolution proposed by the hon. member for Inverness is very generally accepted, but as a matter of fact is hardly accurate. The statement is that the long Sessions have been due to the *Hansard*, through the temptation it gives to hon. members to make longer speeches than they otherwise would make. I have taken the trouble to refer to the lengths of the different Sessions of the Parliament of Canada since Confederation. It will be seen, on making such reference, that the *Hansard* has had very little to do with the lengthening of the Sessions. The first Session of the Dominion Parliament lasted for three months and twenty-five days; but every one knows that during that Session a number of very important questions were at issue, and that consequently it was not, by any means, unnecessarily prolonged. It was the nature of the questions discussed which rendered the Session longer than any that has occurred since. The second Session, that of 1869, lasted two months and seven days; the third Session, 1870, lasted three months and three days; the fourth Session, 1871, two months and five days; the fifth, 1872, two months and three days; the sixth, 1873, two months and sixteen days. In 1874, the first Session of the third Parliament, the Session only lasted for two months, but hon. gentlemen will remember very well that the condition of public business, as well as the condition of parties in the House rendered a lengthy Session, at that time, almost an impossibility. In 1875 the *Hansard* was first published. If the argument that the publication of *Hansard* has tended largely to increase the length of the Sessions, we should have had a very much longer Session in 1875, yet I find it was but four days longer than the Session of 1874—two months and four days. In 1876 the Session lasted but two months and two days, although hon. members had their speeches then reported in full in the *Hansard*. In 1877, it lasted two months and twenty days. In 1878, the last Session before the elections, which, as a rule, is comparatively lengthy, because the desire to make a record for the coming elections induces hon. members to speak oftener than they otherwise would, the Session lasted three months and three days. In 1879, it lasted three months and two days, and in 1880 it lasted two months and two days. From that record it will be seen that the publication of the *Hansard* from 1875 downwards had really no perceptible influence on the length of the Sessions. If hon. gentlemen, who remember anything of Old Canada, will refer back to a period ten or twelve years previous to that time, they will agree with me in saying that the Sessions in those days were much longer than since Confederation, and that the speeches, though not fully reported, were very much longer than they have been since. Now, I find that in the Provinces, for instance, where it might naturally be supposed that the Sessions would be very much shorter than those of the Dominion Parliament, owing to the smaller number of members, and the comparatively less important subjects which engage the attention of the Legislatures of those Provinces, as compared with those which come before this Parliament, and where they have no *Hansards*, it may fairly be said that their Sessions are relatively, though not actually, as long as those of the Dominion Parliament. For instance, in Ontario the Sessions from 1877 to the present year have averaged two months. Two months for the Legislature of Ontario, with its number of members, is longer, in fact, having regard to the questions which engaged its attention, than three months for a House of 206 members with the larger subjects engaging our attention. Then as to Quebec, I find that in 1877-8 the Session of the Legislature lasted two months and nineteen days; in 1879 it covered four months and ten days, although there was no *Hansard*, or official report. The very great length of that Session was simply due to the circumstance of an extraordinary political contest between the two parties.

In 1880 the Quebec Session, a summer Session, which everybody was anxious to terminate, and during which very little business was done, lasted two months. It may be said that this particular Session of Parliament is an illustration of the evil effects of the *Hansard* in encouraging long speeches. This Session will probably be longer than any Session since Confederation; but it must be remembered we have had before us for disposal, a very much more important question than any that has engaged our attention since Confederation. Moreover, we met in December, and it must be remembered that the temptation and anxiety to get away from Ottawa does not come upon members strongly till towards spring. It must be remembered, further, that as regards the debate on the Canadian Pacific Railway, hon. gentlemen on the Opposition side, particularly during the earlier part of the Session, were anxious—and very properly from their point of view—in order to give an opportunity to the public outside, to express their opinions on the question, to postpone to as late a period as possible the vote upon the resolutions. No one will pretend that the *Hansard* had anything to do with the delay thus occasioned. It had nothing to do with the policy, deliberately adopted, and properly from the standpoint of hon. gentlemen opposite, to give the greatest possible opportunity to the public outside to express their opinions on the question of the Canadian Pacific Railway before the final vote was taken. When that vote was taken, for reasons quite sufficient in themselves, a fortnight passed during which we practically did nothing. The *Hansard* had nothing to do with that result. Hon. members did not then take advantage of any question brought up to make long speeches. Afterwards we had the Budget Speech and the debate that followed it, and no one will pretend that it was a lengthy debate, or that hon. gentlemen were tempted to speak longer under the circumstances, than if there had been no *Hansard* published. So I think I may fairly assume that the length of the speeches has not been increased by the publication of the *Hansard*. On the contrary, I am rather inclined to think that the speeches have been shortened in some respects. The right hon. Premier points out that on the 9th March we shall have been only three months in Session, and that we had an adjournment during that time of fully ten days; and, as I have said already, we had a considerable delay in the middle of the Session on the conclusion of the long Pacific Railway debate. Under the circumstances, then, I think we may fairly assume that the publication of the *Hansard* has not tended in any way to lengthen the duration of the Session. I do not think it has tended to induce hon. members to speak at undue or unnecessary length, and for this reason: they will remember that they are of record in regard to everything they say, and very few hon. members desire to bear the reputation of speaking in Parliament simply for the sake of speaking. Hon. gentlemen usually speak because they have something to say. This is supposed to be a deliberative body, in which, when hon. gentlemen have opinions to utter, they desire to express them in such a way as may seem to them good. I think that the *Hansard* has tended to improve the character and the tone of our debates in Parliament. I believe that no one can look at the debates in Parliament to-day, and at those of former years, to which I have referred, without realizing that the tone of our debates at present has greatly improved. A few speeches, nowadays, may be longer, but the fact is probably due to a disposition we all have to exhaust every subject we take up, without much reference to what has been said before. That is a practice that obtained in former years also, however. I can well remember when a prominent public man, now no more, used to speak six or seven hours, regularly, in particular debates. As to quoting from *Hansard*, it is true that we quote the opinions of hon. gentlemen, sometimes, as therein

Mr. WHITE (Cardwell).

recorded; but I can also remember that when such long speeches in former days were made, large portions of them were made up of quotations from the journals which, after all, took up as much time as we now see spent in citations from *Hansard*. Under the circumstances I may fairly assume that the *Hansard* has not tended to increase the length of the Session or the length of the speeches. Hon. gentlemen who make long speeches are, as a rule, reported any way. The only effect of doing away with the *Hansard* would be to shut out all record of what might be said by three-fourths or four-fifths of the members of the House. The newspapers, however desirous they may be to publish a fair and complete report of everything said in Parliament, cannot always effect that object. The conditions under which their reports are taken render that impossible. The newspapers of each party will undoubtedly give the public the speeches of its leading men in full. They would lose nothing by the abolition of the *Hansard*. But the other members of each party, whose speeches to themselves, their constituents, and very often to the country at large, may be just as important, influential and valuable, although not, perhaps, as long or pretentious as those of certain leading members, would be practically shut out altogether were its publication stopped. The newspapers do not publish those speeches of the less prominent members with any degree of fullness. When you come to think of what the newspapers have to do, you can readily understand how almost impossible it is to expect from them anything like a complete record of the views of Parliament, through the ordinary channels of the press. Those gentlemen who work so hard in the gallery, so faithfully and efficiently to give good reports of the proceedings in Parliament, have, say, a couple of them to a paper, to take down the reports, transcribe them, and send them to the telegraph office to be transmitted to Toronto or Montreal. The reports have then to be transcribed by the operators at their destination, and be sent to the night editor, or proof-reader, to be prepared for the printer, who sends them in print next morning to the public in all parts of the country. Hon. members can readily understand that it is quite impossible, under the circumstances, in view of the fact that in Ottawa itself we can get nothing like a full newspaper report of the debates, how utterly impossible it is that we can have anything like a moderately complete report of the speeches in Parliament and of its business, so far as the press is concerned, wonderful as have been its efforts in recording the proceedings and debates of Parliament. Therefore, I do not think that on either of those grounds we ought to give up the *Hansard*. The hon. member for Montmagny (Mr. Landry) suggests the plan of a condensed or summarized report, like the specials of newspapers, so as to lessen the cost of the printing. Well, speaking as one who knows something of this kind of work, I should be very glad—were it possible to accomplish such a scheme—to have at our tables, here, reporters entirely competent for that kind of work. I think it will be obvious to everyone who understands the subject, that it requires a man of infinitely greater skill and ability to prepare a condensed report of a speech than to give a full report. In all my experience in the gallery, extending over twenty-six years, I only remember one gentleman who was what may be called a thorough adept at that kind of work, a gentleman who, unfortunately, this year, I regret to say, is unable to take his seat in the other Chamber of Parliament—Senator Penny was, perhaps, the only man who could properly and fairly give what might be called a condensed report of speeches. The tendency of shorthand writers—I do not say it at all disrespectfully, for there is no class of men for whom I have as high an admiration as shorthand reporters, and the art seems to me to be perfectly wonderful—is this: when they undertake to condense shorthand notes, to give the

first part and omit the last part altogether. The difficulty is to follow clearly a speech, to ascertain precisely what the speaker is drifting at, what is the point of his argument, and in order to do that the reporter must be just as well acquainted with the subject and as able to make the speech himself as the speaker who is delivering it. Under those circumstances I think the hon. member for Montmagny (Mr. Landry) will find it impossible to accomplish the result which he desires. I am aware that the gentlemen now engaged on the *Hansard* staff are all of them reporters of very great experience, and, as the results of this Session have shown, reporters with whom we have every reason to be entirely satisfied as to the work they are doing. I believe in the debates, or conversations which take place in the Committee of the Whole, in Supply, and which are not as important as the longer and more formal debates, condensation does take place to a very considerable extent. It will be admitted that the *Hansard* this year has been a very great improvement on that of any previous year. We are able to get every day laid on the Table, about the time the House meets, a full record of the speeches of the previous night. We have, by that means, a report of the whole debates that can be preserved, and the habit which unfortunately prevailed in former Sessions, of practically substituting one speech for another when the manuscript was placed in the hands of some hon. members, does not and cannot prevail under the system that now obtains. I am aware that, as regards the French copies some difficulty has arisen. The matter has been the subject of enquiry by the Committee charged with this work, and from all I have been able to gather the fault this year lies with the printers; I do not say so absolutely because there is a dispute between the translator and printers. But hon. gentlemen who speak French, I trust, will remember that this is the first year of the present experiment. Last year, at this period of the Session, the English debates were as far behind as the French debates are to-day, and the French debates were correspondingly further in arrears. I have no doubt, if it is the opinion of Parliament that *Hansard* should be continued—and I hope that will be the decision of Parliament—that for next Session such arrangements will be made at the commencement of the Session as to enable us to get out the French edition within at least forty-eight hours from the time of particular debate; and in view of the fact that the reports have to be translated and printed, and then the proofs carefully read, that, I am satisfied, would be entirely satisfactory to the hon. gentlemen who speak the French language. I hope the view of the House will be that *Hansard* should be maintained. It has not tended to increase the length of the Session. It has tended, I believe, to improve the tone of the debates in Parliament, it has made hon. gentlemen realize more fully their responsibility for what they were saying, because of the knowledge that what they say becomes part of the permanent record of Parliament, and it gives us that which in no other way, situated as we are at Ottawa, and owing to the difficulties of transmitting reports to newspapers and publishing anything like full reports, we are able to obtain, a permanent record of the proceedings of Parliament. The hon. member for Inverness (Mr. MacDonnell) intimated that that was of no value. I am not going to discuss that question. It seems to me that in a new and young country like this, where we are building up our institutions, it cannot be otherwise than of great value to those coming after us to have a complete record, not only of the proceedings of Parliament, but of the motives which led to those proceedings as indicated in the speeches of hon. members.

Mr. SPROULE. During the first Session of this Parliament, when this subject was under discussion, I held that it was important, in the interest of the country and of the House, that some official record should be taken of the proceedings. I adopted this view from the fact that contra-

dictory statements were made on public platforms, and that each party brought forward in support of its view quotations from the different organs of the two political parties. I thought then, and I have had no reason to change that opinion, that if there was one thing more than another important in connection with the history of Parliament, it was to have a correct record of the proceedings of the House. It is important from the fact that we can fall back on the official record, knowing it cannot be contradicted by members of each party. I can endorse what has been said by the hon. member for Cardwell (Mr. White) in reference to the speeches of certain hon. members of the House. It is a well-known fact that only a small proportion of the large number of members find their speeches reported in the newspapers; and when the papers go among the constituencies the people generally come to the conclusion that, judged by their speeches, the business of Parliament might be performed as well by two dozen as by two hundred. Again, it is important to the House to have an official report, on account of the statistics collected in the speeches. Many of the hon. members, in respect to public questions, go to a great deal of trouble in gathering statistics which possess general interest, and enable us to come to a correct conclusion and judgment on questions such as those connected with Public Works. The statistics which have been so gathered and placed in a condensed shape, can be subsequently referred to by hon. members. Again, I think the official report is advantageous, in respect to the legislation of the House on account of the different languages spoken here. One hon. member moves a resolution in English, and another hon. member moves an amendment in French, and a large number of members are in ignorance of what is said. That may appear in the French papers, and a translation may be published in the English journals; but we have the advantage of the intelligence of hon. members speaking both languages when their remarks are translated and placed on the records of the country, so that we can turn to them at any time. Again, it is not very probable that an official report lengthens the Session, and I think the speech of the hon. member for Cardwell (Mr. White) is satisfactory in respect to that matter. If we remember the length of the Session of the Ontario Legislature, where there are 86 or 88 members, and that the average length of the Ottawa Session, with over 200 members in this House, is only three months, there is no proof that the official report has a tendency to lengthen the Session here. The amount of money expended on the official record is the best spent money during the Session. The action of the Committee charged with the publication of the Debates has been very commendable; the report appears in a satisfactory shape, and we should congratulate the Committee on their being able to lay before the House each day a correct report of every speech delivered in the House. We are thus enabled to draw our own deductions from the arguments presented to the House, and we have the use of the reports almost immediately after the speeches have been delivered. In view of these considerations and the experience we have had through this Session up to the present time, I see no reason to change the opinion at which I arrived during the first Session of this Parliament, in regard to the publication of the Debates; and it will give me pleasure to know that it is the wish of Parliament to maintain the official record, so that the Debates may be handed down to posterity.

Mr. HUNTINGTON. Mr. Speaker, perhaps it will be proper to this discussion, if every one will ask himself, what purpose does the House desire to accomplish by the publication of the *Hansard*? I do not know whether there is absolute unanimity as to what its particular purpose is. If the House regards the discussions which take place on public questions as a means of informing the House, and, in

a secondary sense, the country, and convincing the House—although we know that parties as such cannot easily be convinced—that is one purpose; but, if it is held that part of the advantage of *Hansard* is, as has been spoken of by the hon. member for East Grey (Mr. Sproule) and the hon. member for Cardwell (Mr. White), too, as a means of cultivating the art of speaking and inducing younger members to spread themselves out, as their leaders are doing, because the newspapers do not properly report them, that is entirely another purpose. I do not believe, Sir, that there is any necessity for that kind of protection for young members. The younger members of this House will always be overshadowed by their leaders. If the right hon. gentleman at the head of the Government makes a speech of two hours—and I by no means wish to say that he often does so—an exhaustive speech upon any particular subject, he deals with that subject in such a manner as to bring out almost all the points which are important or of interest to the country from his particular point of view. So with the hon. leader of the Opposition—and I mention these hon. gentlemen, because of the position they occupy—if he makes a speech of two or three hours, his side of the question is likely to be pretty thoroughly presented. Now, if the object of *Hansard* is to enable the younger members to repeat these arguments in varied and diluted forms, in order that they may see themselves in print, and that their constituents may be able to know two or three weeks hence that Messrs. Smith and Jones made speeches as well as Sir John A. Macdonald and Mr. Blake—I say, if that is the object, then let us have it cultivated, let us have its ample folds extended, let us extend a system which is growing—I do not say it has grown into an abuse—a system which I do not think will tend to elevate the tone of Parliament. There is no doubt that, as the hon. member for East Grey (Mr. Sproule) has pointed out, the existence of *Hansard* induces hon. members to collate valuable statistics and other information, and up to a certain point that may be desirable; but if one hon. gentleman is to be cultivated into the habit of making three hours' speeches, why not all? Why not have 200 members occupying 600 hours on every question which may come before the House. It seems to me that the newspapers may be trusted to furnish such reports of our debates as the public requires, apart, perhaps, from the inconvenience which results from the fact that the party newspapers do not pay much attention to the utterances of those whom they usually do not support. But when we see an hon. member delivering a speech—perhaps a good and able speech—with the greatest *sang froid*, handing his extracts to the reporters at the Table, and proceeding utterly careless whether or not he is listened to by hon. members in this House or not, continuing to talk to people outside of the House, then, I say that, in that view, *Hansard* is not fulfilling what I consider to be its function. Though I cannot vote either for the amendment of the hon. member for Montmagny (Mr. Landry) or the motion of the hon. member for Inverness (Mr. MacDonnell) I think the debate which has taken place will do no harm, and I do not think the time is distant when the House will have to deal with the question which has been suggested in the last two speeches, namely: a better *Hansard* is not a necessity for the purpose of protecting the younger members against the treatment which they receive at the hands of the newspapers.

Mr. JONES. I have only a few words to say on the question before the House. I believe that we should have a record of our debates, and I am in favor of *Hansard*, but I believe in *Hansard* coming fairly and correctly before the country. I have frequently seen it the case that speeches from both sides of the House have been materially changed from what hon. gentlemen have said, and that the report finally published has not been a fair *résumé* of the speeches. During this Session *Hansard*

Mr. HUNTINGTON.

has been very much better than before, except perhaps with regard to the French translation. The reports in English are, however, laid on our desks within twenty-four hours after the delivery of the speeches. I do not believe that one moment should be allowed to hon. members to correct their speeches, and I believe that the effect of such a system would be that our time would not be so much taken up in long speeches. I do not think that the system proposed by the hon. member for Montmagny (Mr. Landry) of the reporters making a synopsis or *résumé*—I do not think would work well, or even at all, it would amount to a change in the character of the speeches on both sides of the House. I believe that the speeches of hon. members of this House should be reported *verbatim et literatim*, and if that plan was followed I do not think we should have so many speeches of four or five hours in length. I know that it is of importance that the leaders on both sides of the House should lay before the public their views in almost every possible form; but I believe that when hon. members have expressed their opinions, even in the heat of debate, they should be recorded as delivered, and, therefore, I opposed the proposition that longer time should be afforded for the purpose of correction. I believe what we really wish to say is better said in the heat of debate than in the process of careful revision. When a man is speaking he perhaps says something which he would not deliberately put in writing, and when he gets his *Hansard* he erases a few words—an “and,” or a “nor,” or a “shall,” or a “may”—and the result is to change the whole tenor of a sentence, and perhaps of a speech. I have seen this done, and I have known of it in my own personal experience, though I do not speak much in the House. I shall move an amendment to the amendment as follows: That the words after the word “Session,” at the end of the fourth section be struck out, and that the following be inserted:—

That the speeches of the members of this House be reported by the *Hansard* reporters *verbatim et literatim*, and that no time be given for alterations and corrections, and that no member of this House shall be allowed to speak more than one hour without the consent of the House.

Sir JOHN A. MACDONALD. This is a matter which more particularly interests the body of the House. As the hon. member for Shefford (Mr. Huntington) has truly said the leaders on both sides are sure to be fully reported by the press of the day; and therefore they will not suffer much, nor will the Government of the day suffer much, if the *Hansard* were done away with and the country was obliged to trust to the reports in the newspapers, be they long or short, according to the supposed interests of the papers. But it is in the interest of the main body of the House that I think it will be a mistake to adopt any of these resolutions, and that we should proceed as we have been doing in having the debates taken down carefully and printed as speedily as possible so as to prevent the possibility of the great abuse which has grown up of hon. members being rather ashamed of the speeches they made and re-writing them for *Hansard*. It was unfair and untrue, because no such speeches were made in the House, and it was unjust to the hon. members who happen to reply to that speech. If you open the *Hansard* of two or three years ago you will find an hon. member making a speech, and that speech is replied to, and the speech in reply had but very little reference indeed to the speech of which it was an answer. This is all cured by the system we have adopted of having the speeches printed and published within a very short period after they were delivered. That prevents any serious tampering with the speech as taken down by the reporters. With respect to the amendment, I think if it were carried out it would not suit either my hon. friend who moved it or the majority of this House. Certainly it would not suit me. It might suit some hon. gentlemen who speak with peculiar verbal accuracy and finish their sentences

and round them off as if they had been prepared. Some have that happy faculty; I for one have it not, and I should be very sorry to have my speeches published *verbatim et literatim*. It is well known that objection was taken a good many years ago in England by some members of Parliament who complained of the reporting in the *Times* as being unfair, and insisting, in the language of the amendment to the amendment, that the speeches should be taken *verbatim et literatim*. The *Times* took those hon. gentlemen at their word, and for two or three weeks it published their speeches *verbatim et literatim* until those gentlemen had to go on their knees to request it to discontinue that mode of publishing their speeches. Then again, as to limiting the length of speeches, as proposed by this resolution. We have not got any obstructionist in this House, so that it is scarcely necessary to have the *cloture* introduced into Canada, and they had pretty hard work to introduce it in England. I should be sorry if circumstances should ever arise in Canada, rendering it necessary to interfere with the freedom of speech in anything whatever. As to the proposition that a *résumé* should be made, I quite agree with the hon. member for Cardwell (Mr. White) that it would require a greater degree of ability to prepare an honest and satisfactory *résumé* of a speech than to make the original speech. As you cannot expect to find such men that system would result in an utter failure. Not a single member would be satisfied with the *résumé* of his speech; every member would be complaining of the *résumé* of his speech. Then we are driven to the original resolution to do away with the *Hansard* altogether. As I said before, that rests with the House. But I think it would be a retrograde step, it would be unjust to the great body of the House. If we can afford it—and we can afford it—every hon. member who represents a constituency has a right to have his speech reported; for we are all equal here, we are all equally interested and have equal rights and responsibilities; we all have the same rights; the youngest member has the same right, as the oldest member, to have his utterances as fully spread out in the official report as the leader of the House or of the Opposition. It would be a retrograde step, it would be a mistake, it would be a historical blunder. We all know the regrets that are expressed by every literary man, every political man, every statesman, and every historian, that the speeches made by the great men in the days of old were, in consequence of the practice of Parliament, lost forever. I think it was the younger Pitt who said that he would rather have a lost speech of Lord Bolingbroke than all the lost pages of Livy. We have no speeches of Chatham; no speeches of Bolingbroke; none of the great speeches made in the Long Parliament, at the time of the fight between freedom and tyranny, in the time of Charles I. We all know how eagerly historians have looked up every little sentence which can be discovered, any casual note taken, any remark made by any of the leaders of public opinion from the time of Queen Elizabeth until now. If you open a history and read about those days you will find how imperfect are the notes of Cavendish, the mere scraps preserved by Strange, or Gray, or by any others who took notes of public utterances of the statesmen of those times, and yet how eagerly they are scanned in order that historians may find out the motives that moved the body of Parliament—not merely the leaders of Parliament, but the great mass of parliamentarians, because it is the general opinion of Parliament, and not the opinion of the leaders of the day that shows what the public pulse is. It is the expression of opinion by the mass of the members that shows really what the feelings of the people are as expressed by their representatives. Even in Canada how deeply interesting would be a *Hansard* showing the debates in the old Province of Upper Canada, or of Lower Canada, giving the

discussions in 1791 and 1792, when the two Legislatures were formed. If we had that, it would be the most interesting volume in the world, and every Canadian would read with the deepest interest the speeches on the subjects that engaged the attention of the members of Parliament of those days. He would learn what the chief subject of interest of the people, what the style of speaking and the manner of thought, not of one or two great leaders, but the great body of the representatives of the people, were in those early days. And we are in a great measure without a colonial history. We have no means of tracing out the very groundwork of all our legislation—the motives and impulses of those petty municipal questions which were the chief subjects of interest in the early days, and which have expanded into the large subjects which are now engaging the attention of the people and the Legislature of Canada. As a matter of history, it is of the very greatest importance that the remarks of every hon. member, who has a responsibility as the representative of the people, should, if we can afford it—and we can afford it—be as fully recorded in the official report as those of a leader. I hope we shall not commit such a great mistake, I hope we shall not make such a relapse into barbarism as to throw over the only means by which after generations shall be able to learn what were the subjects of interest engaging our attention, what was the style of speaking and the style of thought, and what were the moving impulses of the people and their representatives in Parliament.

Mr. JONES. I ask permission to withdraw my amendment.

Amendment to the amendment withdrawn.

Mr. MACDONNELL (Inverness). I am surprised to hear the eloquent and warm speech delivered by the right hon. leader of the Government. Does the hon. gentleman mean to say that the reporters in the gallery are not a good means of recording for future generations what occurs to-day. The hon. gentleman referred to the time of Charles the First and Cromwell, and the early days of Canada. There were not short-hand writers in those days; there were not such papers as the *Globe* and the *Mail*. I have seen the Finance Minister take the report of his speech from the columns of the *Globe* in preference to the report made by the official reporters; and the speeches made by the leading members of this House will be as faithfully recorded by the reporters in the gallery as if we retained the official reporters. The hon. member for Cardwell (Mr. White) took some pains to ferret out arguments against my resolution; he even went into a comparison of the various Sessions since Confederation. If the hon. gentleman had not wished to advance a disingenuous argument, he would have informed the House that in the early days of Confederation we had to grapple with questions which are now settled. We had to legislate for the Confederation; we had to pass such laws as the Insolvent Act and the Election Act; we had to frame our Criminal Code, and to revise it from time to time; we had to reconcile Nova Scotia and the other discontented Provinces that came into the Union; and we had to bring British Columbia and Prince Edward Island into the Union. We have not such a variety of subjects of general legislation to-day. How much general legislation will there be in the Statute-book of this Session? Take up the Statutes passed in 1875, and you will find no legislation beyond a few amendments and private Bills. Therefore, I say that a comparison of the duration of the Sessions is no criterion by which we can judge of the effect of the existence of the *Hansard* in prolonging the Sessions of Parliament. Hon. gentlemen say that the proceedings of this House must be recorded. Sir, we have two or three clerks here; we have the Journals of the House, in which is recorded most

minutely everything that occurs here, and the desultory and irrelevant debates are not such as we should transmit to posterity, because they are no more faithful than the arguments of two advocates in a court of law. The arguments are purposely worked and colored. Take, for instance, the speeches of the Finance Minister and the ex-Finance Minister, and they will puzzle the people of the present day, to say nothing of future generations.

Mr. OGDEN. I should regret very much if either the original motion or the amendment were carried; and I have no doubt the mover of the amendment will withdraw it as he has been requested to do. I believe the hon. member for Inverness (Mr. MacDonnell) is not sincere; he only wants to make a little show.

Some hon. MEMBERS. Order, order.

Mr. OGDEN. I say he is not sincere, for many hon. members perhaps remember the day when he was making a very important speech in this House. There was then no *Hansard*, but there were many ladies and gentlemen in the gallery, and many clever newspaper reporters in the press gallery—perhaps no more so than those there to-day, because I believe there is as good a staff in the gallery to-day as ever sat in the Dominion Parliament—and this hon. gentleman stood up, and fearing that he was not heard, shouted: "Do you hear what I am saying in the gallery? If you do, write it down." There is no gentleman in the House who is more desirous of having his speeches scattered broadcast throughout the country than the hon. member for Inverness.

Sir JOHN A. MACDONALD. Or deserves it better.

Mr. OGDEN. Yes; that is understood. One hon. gentleman says, let the speeches be condensed. It is well enough for those who speak for two or three hours to have their speeches condensed; but if we who occupy seats on the back benches, who speak only once or twice in the Session, and then only ten or fifteen lines, had our speeches condensed, they would amount to a simple "Hear, hear," "Yes, yes," or "No, no" I must protest against any of these resolutions being adopted. I shall vote for having the publication of the *Hansard* continued at any cost, because I think my hon. friend from Inverness and myself have a right to have our speeches published broadcast over the country; and if we are ever destined to make our mark, I think the *Hansard* should be the medium through which our constituents should know we are the proper men in the proper place.

Amendment negatived on division. Resolution negatived on division.

#### MOTIONS FOR RETURNS.

The following motions for Returns were severally agreed to:—

Copies of all correspondence between the Government and any of its officers and all others, respecting certain irregularities which occurred in the business of one Mr. Wells, a brewer of Goderich, pertaining to the Inland Revenue Department, in the year 1875.—(Mr. Farrow.)

Copies of all correspondence, papers, documents, evidence and reports respecting any accusation against Jos. Chabot, formerly Postmaster at St. Laurent, Island of Orleans;—of the resignation of the said Jos. Chabot as Postmaster of the said Post Office;—and of the appointment of the said Jos. Chabot, as Postmaster of the same Post Office.—(Mr. Laurier.)

Statement showing the lands held by the Government in the Town of Sorel, the extent thereof, and the revenue since the 1st July, 1867.—(Mr. Massue.)

Copy of all rules and regulations for the inspection of steamboats in force in the years 1879 and 1880, also a copy

Mr. MACDONNELL (Inverness).

of any Inspector's certificate granted to the steamer "Waubuno," navigating the waters of the Georgian Bay, Lake Huron, in the year 1879, and of any report, if any, that may have been made by any Inspector relative to the said steamer for the same year; also, copy of certificate granted to the steamer "Seymour," navigating said waters during the year 1880, as also copy of report, if any, that may have been made by any Inspector relative to the said steamer during the said year.—(Mr. Lane.)

Statement of the annual amounts collected on ships frequenting the River Saguenay, from Tadousac to Chicoutimi, inclusively, from 1st July, 1867, to 1st July last, for the Sick and Disabled Mariners' Fund.—(Mr. Cimon.)

Statement showing: 1. The prices paid for fishing licenses in that part of the River St. Lawrence which is within the limits of the county of Saguenay, during the past year. 2. The prices paid for each of the rivers under lease, in the county of Saguenay, during the said year.—(Mr. Cimon.)

Copy of any correspondence in relation to the subdivision of the Department or office of French translators, with a view to having a special office for the translation of the Laws of Canada.—(Mr. Vanasse.)

Statement showing the total value of wool, manufactured or unmanufactured, exported from the united counties of Chicoutimi and Saguenay, during the year ending the 30th June last.—(Mr. Cimon.)

Statement showing the total value of fish, fish oil, furs and skins of marine animals exported from the united counties of Chicoutimi and Saguenay during the year ending the 30th June last.—(Mr. Cimon.)

A copy of the Order in Council respecting the Charter for the construction of the Canadian Pacific Railway; of the Charter itself; of all correspondence with the Company respecting the organization of the Company; its deposit of a million, and the definition of the word "Capital" as expressed in the Charter.—(Mr. Blake.)

Copy of all letters and reports from the Engineer-in-Chief to the Minister of Railways; also from the District Engineer of Manitoba District to the Engineer-in-Chief, and *vice versa* (particularly those in the early part of the year 1879) in connection with the increase of quantities, &c., on Contract 15, Pacific Railway; also, copies of instructions given by the present Engineer-in-Chief to Mr. Haney, and to the engineer in charge of the contract; also, what changes have been made in the grades and curvature since the winter 1879-80, increasing the same over and above those on which the contract was let, and whether any change in the style of structures has been made, substituting masonry for stream tunnels, &c., and whether any rock cuttings have been filled in with sand which had been taken out to grade.—(Mr. Haggart.)

Nominal list of the extra clerks in the Department under the Minister of the Interior on the 16th September, 1878, and for the years 1879, 1880, and at the present time.—(Mr. Mills.)

Statement, in detail, of the actual cost in each year, for the last four years, of the Official Debates, with a statement in detail of the moneys paid in each year for this service, with the dates of such payments, and a memorandum of any sums in arrear and unpaid in each year, in respect of the service of the year.—(Mr. Blake.)

House adjourned at 11:40 o'clock, p.m.

## HOUSE OF COMMONS.

TUESDAY, 8th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## EXACTIONS BY PAWNBROKERS.

Mr. ORTON in introducing a Bill (No. 86) to prevent exactions by pawnbrokers, said: I desire to offer a few words in explanation of this Bill. The intention of the Bill is to prevent exactions by pawnbrokers. The Pawnbrokers Act was passed at the time the usury laws were in force in Canada, and under that Act they were permitted to exact 20 per cent., and while those laws were in force the pawnbrokers could not exact more than 20 per cent. interest. Since the usury laws were repealed the pawnbrokers can exact any rate of interest they like, and it is well known that in many cities pawnbrokers exact 100 and 150 per cent., and those heavy rates of interest are levied on the poorest class of the community. I think a great injustice is perpetrated by the pawnbrokers, and that some legislative action should be taken respecting the matter. Although it is now late in the Session, I hope the Government will facilitate the passage of the Bill for the relief of that class.

Bill read the first time.

## BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved that, for the remainder of the Session, Government business shall have precedence on Wednesdays after routine proceedings.

Motion agreed to.

## BEET ROOT SUGAR INDUSTRY.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That in order to encourage the introduction of the manufacture of beet root sugar in Canada, this House declares that such industry shall be exempted from the payment of Excise duties for eight years, from the 1st of July, 1881.

Sir RICHARD J. CARTWRIGHT. I think the hon. Minister had better give his reasons for proposing this alteration. I think a nearly similar proposition was sanctioned by the House about eight years ago, on which no action has been taken. The House would like to know what reasons there are for supposing that if this offer extended for another eight years this industry will be prosecuted. I suppose the hon. gentleman would hardly bind himself not to lower the duties, although he might bind himself not to put on any Excise.

Sir LEONARD TILLEY. It will be remembered that in 1873, a gentleman, then occupying a seat on the other side of the House, moved a resolution declaring it desirable that no excise duties should be imposed upon sugar manufactured from beet root for ten years. Up to a recent date no steps were taken to establish this industry, but within the last twelve months several parties have expressed their determination to enter in the manufacture of beet root sugar in different parts of Canada, provided they were assured by the Government that no Excise duty would be exacted for a term of years. It became apparent to the Government that if this assurance could be given by the House, parties were prepared to invest their capital in this enterprise with the view of testing whether it would be successfully carried on. When I was making my Budget Speech, one of my colleagues placed in my hands a telegram from one of the promoters of this

industry, stating that he had purchased machinery and that operations would be commenced this season. I believe there are two other companies in a like position, though, perhaps, they have not made the same progress that has been made by the other company. I am satisfied the experiment is now to be tested, providing this resolution is adopted by the House. When this resolution was proposed in 1873, there was a general feeling in the country, and especially among the representatives in the House from the agricultural districts, that this was an important industry, and should receive encouragement in the shape of exempting from Excise duty the sugar manufactured from beet roots. After that resolution was passed it became my duty, as Finance Minister, to visit England for the purpose of negotiating a loan. I also visited France, and enquired into this particular industry, and I satisfied myself that if two conditions could be realized the industry would be a success; first, the percentage of saccharine matter contained in the beets grown in Canada, and, second, whether the farmers of this country could be induced to produce a sufficient quantity of beets. I visited one of the largest manufactories in France, and secured the fullest information from the gentleman who had charge of it, and I am satisfied, from all the evidence I can obtain, that this industry may be successfully carried on in the Dominion of Canada. The objects we desire to attain are, in the first place, to secure a higher cultivation for a large portion of the soil, and, in the next place, to encourage our export trade in cattle by producing a large quantity of the refuse of the beets after the syrup has been extracted, which has been found in France very good for fattening cattle. The Government, after considering the whole matter, decided to ask the House to offer this encouragement of exempting from Excise duty sugar manufactured from beet root for a period of eight years.

Mr. MILLS. This is rather a singular resolution to come from the hon. gentleman. I see that he does not ask the House to adopt this resolution in the interest of the agriculturists who are to raise the beets, but it is to encourage the manufacture of those beets into sugar, whether they are grown in Canada or in some other part of the world. Now, the hon. gentleman, in this National Policy for which he has taken so much credit, has not only exempted manufactures from taxation, but he has imposed a special tax upon similar products coming in from abroad, with a view of giving to the producers a higher price for the articles which they manufacture than they otherwise would receive. Now, it seems to me that articles which are primarily produced in the country by the agriculturists are to stand upon a wholly different footing, and they are asking, not to be protected, not to have the prices of their products artificially increased, but they are asking for some assurance that the hon. gentleman will not subject products of their industry to a special burden. As a Free-trader I can support a proposition of this kind, but I would like to know whether the hon. gentleman proposes to deal with tobacco in the same way, whether he is going to tax this product of the farmers of Canada and subject it to a special burden. The hon. gentleman has, so far as I know, except in the production of beer and ardent spirits, imposed no Excise duties upon any article manufactured in Canada. The manufacturers of cotton are protected by heavy duties. There is no apparent increase in prices which they are enabled to obtain in consequence of this increase of taxes that is taken from them in the form of an Excise duty and handed over to the public Treasury. The hon. gentlemen do not go to the cotton manufacturer, as they do to the manufacturer of whiskey, and say to him: "We have imposed a Customs duty which enables you to ask a higher price than you would otherwise be able to obtain, and we ask you to hand over that excess to the Government." The hon. gentleman has not done that in a

single instance. But the hon. gentleman is not only unwilling to let the agriculturists alone, but he insists that the products of their industry shall be subject to special burdens. I remember a few years ago, during the American war, that growing tobacco sold as high as \$100 an acre. That industry has been completely wiped out by the Excise regulations which the hon. gentleman has seen proper to adopt. The interests of the agriculturists are sacrificed to the exigencies of the public revenue. But a wholly different rule prevails in regard to the manufacturer, to whose interest the public revenues are sacrificed. In this case, the hon. gentleman has gone so far in the direction of Free-trade as to declare that those who choose to engage in the production of beet root sugar, shall be left alone, and no special tax shall be imposed on that industry. He does not go so far as to say—and I think he acts wisely—that he will give them special protection, and that they shall have no protection from abroad. But I would ask again, whether the hon. gentleman intends to put the agriculturists of Canada on the same footing as the other industrial classes, and whether tobacco, which is one branch of agricultural industry, shall be exempt from special burdens, or sacrificed to the interests of the public revenue.

Sir LEONARD TILLEY. I am rather surprised that my hon. friend should say that this is a proposition adverse to the interests of the agriculturist—

Mr. MILLS. I did not say that.

Sir LEONARD TILLEY. Because if there has been one proposition submitted for the consideration of this House since 1873, which, more than another, has been looked to with great interest by the agriculturists of the Dominion, it is this proposition. It is a proposition to encourage this particular industry, that three or four industries may be started, and if these prove successful, additional employment will be given to thousands and tens of thousands of our farmers. And, as I stated before, after the saccharine matter is extracted, the residue is very valuable for feeding and fattening cattle, so that our cattle trade will be greatly benefitted. The interest of the hon. gentleman appears to be directed to the article of tobacco; there is no proposition to impose taxes on home-grown tobacco as against foreign tobacco. This proposition is not exclusively or specially in the interest of the producer of sugar or the manufacturer, but in the interest of the agriculturists of the whole Dominion.

Mr. MILLS. I do not propose to permit the hon. gentleman to misrepresent me. I do not object to the proposition; on the contrary, I supported it when it was introduced into the House before; but I point out that it is a proposition to leave a particular industry alone, and not protect it. I ask the hon. gentleman whether he proposes to deal with the tobacco industry in the same way.

Sir LEONARD TILLEY. There is no proposition in reference to tobacco. There is no parallel between the two.

Mr. COLBY. I think no proposition was ever received with greater favor by both sides of this House and the country, than that made by Mr. Joly in 1873, and which is now taken up by the Finance Minister. It was at that time felt to be a proposition in the interests of the farming classes of this country—not of one section only, but of the Dominion at large; because the cultivation of the sugar beet, if it can be made a success in this country, can be made a success in probably all the Provinces of the Dominion. If it was important at that time that this undertaking should be encouraged, I think it is doubly important now, because as the North-West is speedily opened up and becomes the great wheat growing region of the country, the farmers of the older Provinces will have to give their attention more to stock raising, dairying and other industries, such as that

Mr. MILLS.

proposed to be encouraged now. Therefore, I am quite certain there will be no objection to this proposition from any section of this country. I find one fault with it, however, and that is that it does not go far enough. The late Finance Minister made an enquiry as to the probability of any industries being stimulated by an extended period of exemption from Excise duties. Notwithstanding the liberal inducement which has been on the Statute-book for many years, capitalists have not been emboldened to embark in this enterprise. Not only has the Dominion offered to exempt such enterprises for ten years, but the Province of Quebec has offered a considerable subsidy to the first enterprise of the kind which might be established. The reason capitalists have hesitated to invest in the industry is that the manufacturer cannot depend on an adequate supply of his raw material. It is a purely experimental enterprise. It has succeeded, to the astonishment of the world, in France, Germany, and other countries in Europe; but the conditions there may be different from the conditions here. It is not known whether our climate and soil are suitable, though it is believed they are; it is not known whether the farmers of this country would take kindly to this industry, as it is outside of their accustomed line. If a person starts a cotton factory he knows that he can buy his raw material at the market prices in the markets of the world, and the case is the same with almost every other kind of manufacture. But the capitalist who may be considering the project of manufacturing beet root sugar has no assurance that he will be able, at any price, to get his raw material, and consequently he knows that he runs a tremendous risk, and this has hitherto deterred capitalists from embarking in this enterprise. Now, however, as the hon. Finance Minister has stated, capitalists have decided to try the experiment, and manufactories are to be established at Berthier, Coaticook, and Farnham, in the Province of Quebec; but I can assure this House that the capitalists who are risking their money in these enterprises are doing so with a great deal of trepidation and uncertainty. In some instances the municipalities are giving them aid. Under these circumstances, I think another proposition should be added to that of the Finance Minister. Since the Finance Minister came into office, he has exempted from duty all machinery required for the manufacture of cottons, for which the raw material does not exist in this country, but is imported. What I ask is, that he shall be as liberal towards those gentlemen who are assuming the great risk and hazard of starting this enterprise. I do not ask that there should be a long exemption, but I think it is due to these pioneer companies which, at such great risk to themselves, are solving this experiment, that they should be treated as other manufacturers who have started industries in this country have been treated. If, after the industry has been established, it has proved a success, there will be no need of its further exemption from taxation. Other companies will go into the business from speculative motives; they will understand then the trade basis of the enterprise; they will know whether the conditions are favorable for the production of beets in this country, whether the farmers will be willing to supply beets; and they will not experience the hardships and difficulties to which these three companies are exposed. If it be an enterprise which is likely to be permanent in this country, then these parts of machinery which are not manufactured, may perhaps be manufactured in this country, and protection may fairly be given to their manufacture; but I think these companies which are now taking upon themselves this great experiment, should be exempted for this little period from Customs duty. I am sure this proposition will meet with the cordial approval of the members of this House. I hope, if such be the case, the hon. Finance Minister will consent to it. I will anticipate the reply the hon. Finance Minister will make to this proposition, namely, that he has already enlarged the term of exemption from

**Excise.** I believe he has extended the period of exemption to eight years, for the purpose of meeting this case—but it has not met it. Suppose this experiment should prove unsuccessful—and no one can say that it will be successful—in what condition will these companies find themselves? Well, as there will be no market here for that machinery which they imported at great cost, it will be either a total loss to them by keeping it here, or they will be obliged to send it back to the country where they purchased it, or to the United States, sustaining in any case a heavy loss. I think that loss in itself will be heavy enough without adding to it the loss of duty paid to the Government. This proposition is quite in consonance with the policy which my hon. friend is here to expound, and administrators so ably. We believe in the free admission of machinery not manufactured here, as much as we believe in the free admission of raw material not produced here; but the hon. Finance Minister has found it difficult to carry out that principle, as it is difficult to know at all times what was and what was not manufactured here. That difficulty does not apply to this case. There is no manufactory of machinery for beet root purposes in this country. This is an exceptional case, and I hope the hon. Finance Minister will treat it as such. I move:

That the said resolution be amended by adding the following words: "And that such parts of machinery which may be imported into Canada, to be used in the manufacture of beet root sugar, and which are not manufactured in this country, be admitted free of duty until the first day of September next."

Sir JOHN A. MACDONALD suggested that the amendment be withdrawn and submitted in Committee.

Amendment withdrawn.

**Mr. ORTON.** The hon. member appears to think this industry is not directly in the interests of the farmers. In France there is no one article that is a greater source of wealth to agriculturists than the sugar beet. From an analysis made of the sugar beet in this country, it contains a greater amount of saccharine matter than that of other countries. I congratulate the hon. Finance Minister and the Government on the encouragement given to this important industry. The Province of Ontario is behind Quebec in this matter. I hope, however, that Province will follow the example set her and give encouragement to this important industry. The cultivation of beet root improves the land instead of exhausting it. Another feature in connection with this industry is the employment it will give to farm laborers during the winter season.

**Mr. SKINNER.** I have been told that Upper Canada is very much behind Lower Canada in this respect; as regards Government action certainly we are. The Ontario Government have given no bonuses for the encouragement of this industry. But we have two sugar refineries in my own constituency (South Oxford) without having received any Government or municipal aid. I had the pleasure of asking the Finance Minister some two years ago, his intention with reference to an Excise duty on sugar manufactured from the beet. He informed me that the Government had not changed their intentions, and did not contemplate imposing any Excise duty. The result is, there is a manufactory of sugar from beet root in my constituency and also one from sorghum. They are both very much in the interest of the agriculturists, not only in their interest as a class, but in the interest of the land. They also benefit the manufacturers, who can purchase the article and send it to the old country. I trust the Finance Minister will see his way to put sorghum on the same footing as beet root. Sorghum is a cane we raise very largely in our district. We are nowise interested in tobacco, upon which I do not care how much Excise duty is placed. But let us encourage the growth of sorghum, which is a sugar cane something like Indian corn, and we raise it largely, that being found very much in the interest of our farmers. We

get back from sorghum, for agricultural purposes, as much if not more refuse than from the beet.

**Mr. PLUMB.** It was characteristic of the member for Bothwell (Mr. Mills), who does not like any opposition to his pet theories, to say that the proposition of the Finance Minister was not in any possible way in the special interest of the farmers of Canada, that it was chiefly in the interest of the manufacturers and would benefit farmers outside this country as well as here. If the hon. gentleman knew anything about this sugar manufacture, he would be aware that the beet root sugar manufactory has to be established in the very midst of the regions in which the beet root is produced, and that that produce cannot be transported any great distance; that it is one of those home products that essentially protects the farmer and enables him to secure a rotation of crops by encouraging a new product which is of great service to his soil. If the hon. gentleman had looked into the statistics in reference to this industry, he would have found there is no greater argument in favor of the protective system than the growth of the beet root sugar industry in France. In 1829 there were but 30,000 tons of beet root sugar produced in France; in 1876 the quantity reached over 450,000 tons. The sugar production of the world is about 3,000,000 tons, of which quantity over 1,200,000 tons are obtained from the sugar beet, or over 40 per cent. of all the sugar manufactured. That industry took its rise in the system of Protection which the hon. gentleman opposite derides, and probably always will deride; for he is in what may be called a state of invincible ignorance, in which one can learn nothing outside his own line of argument. It is well known that the cultivation of beets can only be carried on, for the purpose of making sugar, in a country where there is a considerable period of frost. In France the period of manufacture is ninety to one hundred days. Further north, where the beet is being cultivated with great success, in Russia, and other similar countries, the time for its manufacture into sugar extends to one hundred and fifteen days. The Province of Quebec, with its long winter and warm summer, is particularly suitable to that product; and I am very glad my hon. friend the Finance Minister has submitted this proposition, because I know it to be in the interest of Quebec. Judging from the noise I hear, I regret that there is a disposition on the Opposition benches to prevent a fair ventilation of this question.

Some hon. MEMBERS. The noise comes from your own friends.

**Mr. PLUMB.** It would be well if the constituents of those hon. gentlemen could know—the voters interested in this proposition—the spirit in which this discussion is met by them in this House. I have, upon various occasions, advocated exactly the system which is embodied in the resolution of the Finance Minister, asking for encouragement to those willing to embark their capital in this very important industry. In France, where the beet root culture has succeeded, the exportation of cattle to England now reaches 32 head where only one was exported before. It was formerly said by gentlemen who agree with the theories of the member for Bothwell, that the introduction of the beet root sugar industry would ruin the shipping trade connected with the importation of sugar of France; there were 20,000 tons of shipping engaged in the transportation of sugar formerly. So far from ruining the shipping, it has increased it over 350,000 tons. This manufacture has also increased the agricultural products. The culture of the beet renews the soil and acts as a cleanser. The root is small, weighing about two pounds, and its growth enables the farmer to secure rotation of crops. I can see that the noise which greets me comes from hon. gentlemen in Opposition, who do not want to hear my remarks.

Some hon. MEMBERS. It is your own friends.

Mr. PLUMB. No; my own friends are not at the points on the left hand side whence the noise proceeds.

Mr. SPEAKER. Order.

Mr. PLUMB. The production of tobacco exhausts the soil by extracting from it an insoluble ash, and yields nothing in the way of food for manure. The soil of Virginia is already exhausted in this way; and there is not the same reason for the legislation which my hon. friend proposes, for the encouragement of the growth of tobacco, that exists as regards the raising of beets, although I have no doubt that the growth of tobacco could be made a good staple industry of this country, under the differential duty imposed by my hon. friend the Finance Minister, that gives an advantage to the Canadian grower. The county in which I live grows tobacco, as do also Kent and Essex, with great success; and it is grown in the southern tier of the Quebec counties. I was very glad to observe that my hon. friend saw his way to establish a differential duty between the tobacco imported from foreign countries and that grown in Canada in favor of the home article. That was a step in the right direction. The amount of capital required for establishing a manufactory of beet sugar is about \$300,000 or \$400,000, so that in order to embark in that industry encouragement would have to be given by the Government. As to the production of such a manufactory as would cost \$300,000, I have a few figures here which I shall read to the House.

Mr. JONES. I rise to ask for order. I think the statistics to be given by the hon. gentleman will instruct many hon. members, and I think those interruptions should cease.

Mr. MACKENZIE. I would just say that the hon. gentleman himself is not fair in his remarks towards members on this side. I can assure him that the quarter whence these noises come never contributes a vote to the Opposition side of the division list, and if the hon. gentleman persists in accusing hon. members of the Opposition of interrupting him, he will not be doing so fairly.

Sir JOHN A. MACDONALD. The hon. gentleman says that those who are guilty of these unparliamentary and unseemly interruptions never strengthen the Opposition by a vote. The hon. gentleman knows then who they are, and he would serve the cause of order by naming them.

Mr. MACKENZIE. If the hon. gentleman admits that he is incapable of leading the House I shall be happy to take his place.

Mr. PLUMB. These manufactories, which contain eight presses and work 150 days, produce 3,000,000 pounds, or 20,000 pounds per day. The production of the sugar beet, which is a very small beet, weighing about two pounds, with careful cultivation is from 30 to 40 tons to the acre. Mr. Bernard who is one of the officials of the Quebec Government, and who has taken a great interest in this question, has shown by an analysis of beet grown in Quebec, which he has submitted to the chemists of France and Belgium, that our Canadian beets are superior to the beets of either of those two countries in sugar-producing qualities, and he has shown that this is a branch of manufacture which is quite within our reach. From the experience of other countries in regard to this industry, I hope that the resolution which the Finance Minister has brought forward will result in the establishment of a new interest in Canada, one which will afford the farmer the benefit of a new item in the rotation of his crops. It is an industry in which a large amount of capital will be employed, and so far from its benefits being restricted to the manufacturer, they will be enjoyed by the whole agricultural community of both the Provinces of Old Canada, and, perhaps, eventually of the Maritime Provinces as well. I say, therefore, that it does not become any gentleman in this House to cry down any attempt to supply information upon

Mr. PLUMB.

a subject so important as this. I am not aware that this information has been brought into the House in such a form, that hon. members are so familiar with the subject that they wish to learn nothing of it here. I say this is a fitting time to discuss this question in the Parliament of Canada; and I shall not be deterred from giving what I know to be facts taken from official documents, by any unseemly interruptions, no matter from what side of the House they may emanate. I cannot believe that any hon. gentleman who is wedded as we are to this system of endeavoring to develop the interests of Canada, will deride so important a proposition as that brought forward by the hon. the Finance Minister, or those who may endeavor to support his contention by arguments calculated to strengthen that resolution. I hope the resolution will pass, and I trust I have not unduly or improperly trespassed on the time of the House in giving information which I had brought together in 1877, with a view of bringing this very question before the House of Commons.

Mr. BOURBEAU. Mr. Speaker, I think that the motion brought forward to foster the beet root sugar industry in the country, ought to meet with the support of all the members of this House. I do not think that any one should rise to protest against this motion being introduced, as it favors not only the manufacturers but the farmers of this country. I was much surprised to hear the remarks of the hon. member for Bothwell (Mr. Mills). When he spoke on the subject, he asked that the culture of Canadian tobacco should be placed on the same footing as it is wished to place the manufacture of beet root sugar. During the whole time that the Administration of which the hon. member for Bothwell was a member, was governing the country, he never rose to make such a proposal. He never spoke in the sense of reducing the duties imposed on Canadian tobacco. Yet I remember that during the Session of 1878, the hon. member for Beauce (Mr. Bolduc) made a motion that I had the honor of seconding, and that motion asked the Government of the day to reduce the duties imposed on Canadian tobacco; we then saw the hon. members, who supported the Government, and especially the hon. member for Bothwell, vote as a single man to deny the request made by the hon. member for Beauce. And now that these duties, which amounted to ten cents per pound, have been reduced by the present Government to four cents, the hon. member would wish to see these duties still further reduced or done away with altogether. I regret that the hon. member for Bothwell should not have seen fit then to protect growers of tobacco. I too, Mr. Speaker, would like to see the duties imposed on Canadian tobacco done away with altogether. I have ever been in favor of that policy; I have always thought that in this country the farmer was not sufficiently protected; but I have always been consistent in my conduct. I have not, like the hon. member for Bothwell, when he was part and parcel of the Liberal Administration, invoked a policy whose object was to maintain high duties on Canadian tobacco. I will confess, Mr. Speaker, that we can never grant too much protection to the farmer of this country. It is well known that land does not yield large profits, and that agriculture has not reached here a standard as high as that of other countries. The motion made to-day by the hon. Minister of Finance, will be, I think, the means of encouraging the cultivation of beet root in this country. We shall then see the land improved by this cultivation, as it is absolutely necessary to manure for that purpose. In order that the yield be good, the cultivation must be made on a good basis. Public opinion has formed itself on that point in this country, and especially in the Province of Quebec. Last year, a few gentlemen came from France, and made us certain proposals with regard to introducing the culture of beet root in this country; we know how promptly the farmers responded.

In the county which I have the honor of representing, in less than a fortnight we were able to give assurance that 1,500 acres of land would be devoted to the culture of the sugar beet. We were able to make contracts with the farmers, who bound themselves to cultivate beet root for twelve years over 1,500 acres of land. That is a proof that there is a wish that sugar refineries should be built in this country; and when I saw the hon. Minister of Finance make that proposal, I thought he was doing so, not only on behalf of the manufacturer, but also for the good of the farmer. We must not forget those who are about to build the sugar refineries, and who will incur great expense in doing so; too much protection cannot be given them. I think, Mr. Speaker, that the proposal made by the hon. member for Stanstead (Mr. Colby) should also be agreed to. I do not think that a single member of this House should oppose the free entry of machinery necessary to the first refineries built in the country. It is true that the Government will be making a sacrifice, but this sacrifice will be fully compensated by the fact that these industries will open a source of wealth not only to the farmer, but also to the Government. If one is to judge of those industries in this country by what they are in European countries, we may say that we are introducing into the country an industry that will give farmers a competency; and when farmers shall have learnt the benefits accruing from that industry, when they shall have improved their lands so as to grow the sugar beet to advantage, all other agricultural products will increase in quality and the yield of the land will be double what it is to-day. The refuse of the beet root sugar refineries will serve to fatten cattle and other animals required by the butcher and employed in the cultivation of the land. The farmer, whilst applying himself to develop cheese and butter factories, will discover that the establishing of beet root sugar refineries will be most advantageous to him for the feeding of his cattle. I trust that these few remarks will have the desired effect, and as I said at the outset, I hope that there will not be a single member of the House who will refuse to vote with the hon. Minister of Finance on a question of so great an import to the farmers.

(In the Committee.)

Sir LEONARD TILLEY. Mr. Chairman, the proposition which is contained in the resolution, and in my hon. friend's amendment, has had the careful consideration of the Government, but they have not felt that they would be justified in accepting the proposition made by the parties who were interested in this industry, and for this reason: From 1871 to 1873 there was a law in force by which machinery not made in Canada was admitted free on certain conditions, one of which was that the parties importing such machinery should submit evidence to satisfy the Treasury Board that the machinery had not been made in the country. I had some experience in respect to the operation of that law, as I was Minister of Customs at the time, and these regulations were adopted by the Government requiring that the certificate of two machinists should be presented as evidence that such machinery was not made in the country. The result was that, in a great many cases, after we had received the testimony of two machinists in the locality that no such machinery was made in the country, we found that such machinery was manufactured in some portion of the Dominion; and machinery manufacturers thereupon declared that, under the operation of the law and the action of the Government, their establishments were being closed up, while we allowed machinery made in the country to be admitted free. In 1873 the late Government adopted the same principle, but in a modified form, providing that machinery not made in the country shall be admitted at ten per cent. duty. The evidence to be produced was, I believe, much of the same character as that submitted between 1871 and 1873, viz.: upon the certificate of machin-

ists that such machinery was not made in the country, and like results were found to follow. In 1879, when it was known throughout the country that a change was to be made in the Tariff, deputations from the different industries submitted their views, in respect to the proposed changes, to the Government, and a very large deputation representing the manufacturing interests were unanimous in their proposition, and argued out by them from their standpoint, that it was unwise to adopt any reduction or abolition of duty upon the terms and conditions adopted from 1871 to 1873, or from 1874 to 1878. The Government, finding that difficulty had arisen during the operation of the law as it stood, resolved to impose a duty on all machinery imported, with the exception of machinery used in the cotton and woollen industries. But it was found, when Parliament met last Session, that parties came from all directions who asked why these particular industries should be specially favored, why the cotton manufacture, above all other industries, should be permitted to enter its machinery free of duty, while other manufacturing industries were required to pay duty. After giving the matter consideration, the Government asked that those two exceptions should be struck out after November, because machinery purchased under the existing regulations was on its way out to this country, and this decision was adopted by Parliament. Several of the promoters of the beet root sugar industry came to the Government and asked for a renewal of the resolution passed in 1873. The Government passed an Order in Council stating that the Government would ask the House, at its next Session, that this period should be extended for six years from July next. The parties interested came to the Government and urged that, in addition to the six years' privilege, they should have machinery admitted free of duty. The Government said: "There is no machinery, at the present moment, admitted free of duty. This is an interest that for eight years, as then agreed upon, will have as large or larger protection than any other industry in the Dominion, namely: from 45 to 50 per cent. If we exempt machinery brought in to be used for that particular industry, there is no reason why we should not go back and declare that all machinery required for the various manufactures, and not made in the country, shall be admitted duty free." After discussing the matter very freely and very anxiously, for we were very desirous of giving every possible facility to manufacturers, we declared that the Government could not see its way clear to make the extension for this particular interest as regards the admission of machinery, because sugar refineries had been established within the last year or two, one half of the machinery required being made in this country and one-half imported, and special machinery being also required for iron and other manufactories. But what we said was this: "As this beet root sugar business is an experiment to a certain extent, we will extend the time for exemption from Excise duties from six to eight years." The promoters of the beet root sugar enterprise have proceeded on that understanding, they have communicated with France, and they understand that they will have to pay duty on their machinery. What the amount of duty will be we cannot ascertain, but as they will find they will have to pay on boilers and other machinery which is made in this country. No doubt some portion will be made here, and the more the better. It is said that the kind of machinery required for the manufacture of beet root sugar is not made here, but the machinery required is largely that used for the refining of cane sugar. I saw a large beet root sugar establishment within forty miles of Paris, and the machinery used was very largely of the kind used for the refining and crystalizing of cane sugar. Under these circumstances, gentlemen having obtained the extension of freedom from Excise duties from six to eight years, having bought machinery on the understanding that they must pay duty on it, if the demand made is conceded in the present case

I do not know why we should not give to other industries which have not so great a protection as that of beet root sugar, the privilege of bringing in machinery free of duty. On that principle the Government have acted, and they have agreed to submit the resolution now before the House.

Mr. COLBY. If I had been a party to this arrangement and understanding that the hon. the Finance Minister has spoken of, I certainly would not have been justified in making the proposition which I submit to-day. One of the factories is to be established in my county. Yet I never heard of the arrangement, and if it be an arrangement, we were not consulted on the subject. The other factory is to be established in the county of Missisquoi; and the hon. member from that constituency assures me that the people were not consulted on the subject. I think the interview the Finance Minister had was with the gentlemen from France and some other gentlemen. I do insist that the Government ought to consider this. We do not complain that the protection is not sufficient; what we say is, that the horse may die before the grass grows. The difficulty is that this industry may not be able to exist at all, and if that be the case—and I think it is by no means certain that it will not be the case—it is going to be an extreme hardship for these men who will be obliged to sell this machinery out of the country at a ruinous loss. It is to treat this as an exceptional case, under the conditions I have stated, that I would urge it upon the attention of the Finance Minister. I ask it only as a protection to those who are the pioneers in this enterprise, limiting it for a short time, and only for those parts of the machinery which are not manufactured in this country. I can assure the Finance Minister that if any assent has been given, such as he speaks of, it was without the knowledge of two of the three companies which are about to go into operation.

Sir LEONARD TILLEY. The first decision was for six years, it was subsequently changed to eight.

Mr. COLBY. I was not aware of that. Of course, persons embarking in this enterprise had reason to expect that it will be dealt with as others have been dealt with. When persons who were about to embark in this enterprise spoke to me on the subject of exemption from duties, I said to them plainly:—"I cannot tell you anything positive about it. I do not know what the policy of the Government may be, but I think you may rely upon it, that the Government will be as liberal to this as to the cotton manufacturers. They have admitted machinery free of duty for the manufactures of cotton and worsteds, and I think they will be as liberal towards you." It was with the expectation that a similar liberal policy would be extended to this industry that the capital was subscribed by these companies, and it will be a severe disappointment to them if they are obliged to pay a large sum of duty for which they have made no provision. Under these circumstances I hope the Finance Minister will permit himself to be guided by the sense of the House in this matter. But if it be not the sense of the House, after a presentation of the case, that this limited exemption for a short period of time, and restricted to a portion only of the machinery, should be granted, of course the matter will end there. But if it seem to be, as I believe it is, the almost universal sentiment of the House that this request is reasonable and should be granted, I hope my hon. friend the Finance Minister will not refuse to accede to the request.

Mr. PLUMB. I believe the success of the manufacture of beet sugar in France is owing to the very complicated and exceedingly delicate machinery which is used there. I am sure that all the machinery cannot be manufactured in Canada, though the boilers and some of the rougher portions may be. The proposition of my hon. friend from Stanstead (Mr. Colby) that while this industry is in its infancy we should intermit the duties upon the more delicate por-

Sir LEONARD TILLEY.

tions of that machinery until the first of September next, is one which, while I acknowledge the reasons which have been given by the Finance Minister are weighty, should receive much consideration from him. I believe the success of that industry in this country is dependent upon having the most perfect machinery that has been invented. I know that until within a very short time there has been great objection to the sugar made from beets. It was impossible up to that time to take out a certain peculiarity which that sugar possessed. Now, the vastly improved mechanical appliances, and the vastly improved machinery which have been introduced, enable a sugar to be manufactured from beets which cannot be distinguished, in the slightest degree, from the sugar made from the cane. It is most important that at the outset, if we have one or two manufactories started here, they should be encouraged to have the most expensive and perfect machinery that is made, and in that sense I really think that this is one of those cases in which the Government might make an exception to the general policy they have adopted. I do not wish to press the Ministry to do anything which may contravene the principles they have adopted, but this is clearly a case that is altogether exceptional. It is of the greatest importance for the Province of Quebec that beet sugar manufactories should be established there and thoroughly tested with the very best appliances. The rough machinery—whatever can be manufactured in Canada—should of course be subject to the usual duties; but the machinery which cannot be manufactured here, and the duty upon which, I understand, would be nearly \$12,000, might very properly be admitted free under the conditions which have been mentioned by my hon. friend for Stanstead (Mr. Colby). This industry is an experiment. Those who put \$200,000 or \$300,000 into one of those manufactories of beet sugar, risk their whole capital. I believe every man in this House desires to see the experiment made and thoroughly tested. The beginning of this industry involves getting seeds from France, getting skilled workmen, and getting the farmers to undertake a culture which they have never practised before. The kind of beet necessary for this purpose has never been raised in Canada, except as an experiment. We have, consequently, to develop and foster this industry from beginning to end, and, under all these circumstances, I say that the proposition of my hon. friend is one which the Government may fairly and consistently accede to.

Mr. MASSUE. Mr. Chairman, I am of opinion that by admitting free of duty all portions of the machinery used in the manufacture of beet root sugar we should be largely assisting an important industry which is bound to regenerate agriculture. We must not lose sight of the fact that those who wish to endow the country with such factories, will have, ere they begin operations, to incur considerable risks; therefore, following the example of other nations, which have reaped the immense advantages conferred by sugar refineries, we must take all possible means to encourage them to come and establish themselves amongst us, as they will not only be of material help to agriculture, but will also be a great source of wealth to the state. I believe that it was at the time of the continental blockade, in 1812, that the beet root sugar industry was really established in France. France, which had gloriously struggled against all the nations of Europe, was compelled, owing to the continental blockade, to find within itself the means of meeting its wants. It is from that date that the French nation was born as a manufacturing nation; and among the numerous industries that sprung up at that time, the beet root sugar industry must be reckoned among the first. At the outset Napoleon I, whose piercing eye penetrated into the future, and who understood at once the advantages of sugar refineries, encouraged that industry by all possible means. Schools of

chemistry and Imperial refineries were established during his reign, and the Government ordered that 100,000 acres should be planted with sugar beet, in order to encourage the manufacture of beet root sugar. Napoleon placed the sum of 1,000,000 francs at the disposal of his Government, and 500 licenses to manufacture beet root sugar were issued; moreover, the better to foster that industry, all duties on it were abolished for a certain number of years. This is, in a few words, Mr. Chairman, how an intelligent nation, aided by the generous liberality of an enlightened Government, was enabled to secure the monopoly of an industry which has to-day developed into a source of national property and a powerful encouragement to agriculture, that fruitful foster-mother of all nations. To-day a powerful French company wishes to introduce that industry into this country at the cost of considerable sacrifices. It asks us for an exemption from duties for a certain number of years. This has been granted, and now it asks that the first machines to be used in the first factories established in the country be allowed to enter free of duty, and I think that the Government ought to grant this. France did not stop at such trifles when she encouraged that industry with her millions. Could we justify our refusing to abolish the duty, whatever might be the amount? I have too much faith and confidence in the Government, and in its devotion to the interests of the people, to think that it would hesitate to grant the legitimate request of the "Union Sucrière de France." Our agriculture has every advantage to derive from the fostering of that industry, and, Mr. Chairman, it is a fact worthy of mention that no barren or unproductive lands are ever to be found in the neighborhood of sugar refineries. In the north of France, where these factories have been established in greatest number, it has been found that the grain crops had yielded more abundantly. This is easily explained; beet root pulp enables the farmer to keep more cattle, which in turn means a larger quantity of manure. There is therefore no doubt that the manufacture of beet root sugar in Canada would be most advantageous to the agricultural class; it would moreover be the starting point of an improved system of agriculture. Our crops would be larger and the value of property would increase considerably. I hope therefore, Mr. Chairman, that the Government will seriously consider the request made by the "Union Sucrière de France" that no duty should be levied on the machinery of the first factory to be established in this country.

Mr. CURRIER. I have never had the opportunity of seeing the machinery required for the manufacture of beet root sugar; but I take it for granted that a large portion would consist of motive power, whether water wheels or steam engines, which can be manufactured in this country, perhaps, as cheaply as in any other country. I should think the other machinery required for this manufacture could not be very expensive or complicated.

Mr. COLBY. It is both expensive and complicated.

Mr. CURRIER. I intend to support the motion of my hon. friend from Stanstead, still I should regret to do anything to discourage the manufacture of any kind of machinery in this country.

Mr. COLBY. The resolution simply applies to those parts of the machinery which are not manufactured in this country.

Mr. OUMET. The hon. Finance Minister states that the Government were doubtful of the advisability of allowing machinery for the manufacture of cotton to come in free of duty, owing to some difficulties which occurred afterwards. The beet sugar industry has a double advantage over the cotton industry, as it encourages the growing of an article in this country, while in the cotton industry the country only saves the price of the labor employed in it. I think, therefore, that any sacrifice the Government will make for

the encouragement of this industry will be well received by all their supporters.

Mr. GUTHRIE. If the hon. Finance Minister admits, free of duty, portions of the machinery used in the manufacture of beet root sugar, other industries will claim, and justly claim, the same exemption. It is proposed to start the manufacture of jute, and goods from jute, in the city of Guelph, where I reside, and at a meeting there last week the very point now under discussion was raised. It was stated that the Government were about to admit free machinery for the manufacture of beet root sugar, and that if they did so they would be sure to allow machinery for the manufacture of jute in free also. As there is no manufactory of that important article in the country now, I hope, if the Government grant the exemption in this case, they will do the same in the other.

Mr. DOMVILLE. I am very glad my hon. friend the Finance Minister has brought in this resolution for the encouragement of the beet root sugar industry. It will be a great thing for the country. There are some difficulties in the way, however. In the first instance, the growing of the beet is almost sure to be unsuccessful, because the seed which is imported has generally to be acclimatized before it can produce beets containing the average quantity of saccharine matter. I am induced to believe that the beet of Canada, from the nature of the climate and soil will produce more saccharine matter than any other beet in the world. I believe that the Lower Provinces, with a climate neither too hot nor too cold, and a gravelly subsoil, in which small beets are likely to thrive, are specially adapted to this industry. It is not generally known that 800 acres of beets will produce from 900 to 1,200 tons of sugar, will find manure for a large quantity of land, and will feed 1,000 head of cattle for nine months in the year. The drawbacks to this industry are many. First of all, limestone must be in the vicinity of the beet, because a great amount of it is used for generating gas for refining purposes; fuel must be cheap, and pure water abundant. The process of manufacturing beet sugar is a chemical process, it is a process of fermentation, and the factory has sometimes to be shut down for five or six weeks until the machinery can be scoured, as it becomes affected by the fermentation. If the beets get frozen some chemical process takes place which prevents the extraction of the saccharine matter from them. Every encouragement should be given to this industry. I am not prepared to go so far as to favor taking the duty off the machinery, because I think a company going into this industry ought to be prepared to lose in the beginning, and to pay the duty of \$10,000 or \$15,000 on their machinery. I am not prepared to say that the exemption asked for should not be granted, but, at the same time, I am in favor of carrying out the protective policy. I am inclined to think most of this machinery can be made in this country. The step taken by the hon. Finance Minister is one that will be considered most favorably by the whole country. In the Lower Provinces it has given them a chance they never had before of getting such an industry established in their midst. It may not be amiss to inform this House that white sugar can be made out of the beet root at from 4 cents to 5 cents per pound. If they can produce it at 6 cents it can be sold at 7 cents, 2 cents less than at present. Added to that the residue of the root after the saccharine matter is extracted makes good food for cattle, and thus cattle raising will be largely promoted by this industry. We are likely to have factories established all over Canada, with just enough capacity to supply the vicinity in which they are situated. In New Brunswick the consumption of sugar is about 3,000 tons per annum. A well equipped factory will turn out 1,200 to 1,500 tons, so that there will be room

enough in that Province for two factories; Nova Scotia can supply trade for three factories; and so on with the other Provinces. These factories can be so arranged, also, that during certain periods of the year, when not making beet root sugar, they can refine raw grades of the ordinary sugar. I am very glad to be able to support my hon. friend's resolution.

Mr. TASSÉ. I feel very much inclined to favor the proposition submitted by the hon. member for Stanstead. So far, the beet root sugar industry has been an unknown industry in this country. It requires but effective encouragement to ensure its success on a large scale. It has been established that the soil of this country, especially that of the Province of Quebec, is best adapted to the culture of the beet root. That industry has been one of the greatest causes of the prosperity of France. There cannot be the slightest doubt on that point. I am sure that if proper protection is given to that industry here, it will do for Canada what it has done for France. The fact is indisputable that that industry has been created in France through the genius of Napoleon the Great; but we must not forget that it was established in France, not only by means of protection, but by means of complete prohibition. The proposition of the hon. member for Stanstead does not go to that extent. On that ground I am quite prepared to give it my cordial support.

Mr. ROBERTSON (Hamilton). I regret I cannot endorse the sentiments of the hon. gentleman who has just spoken. I am as anxious as the hon. member is to encourage all native industries, and I think the one under discussion is one, that, perhaps, should receive a little more encouragement than in any others. I think the measure of the hon. Finance Minister is in that direction. If we allow this amendment to pass, it will open the door to a great deal of trouble. There was a time, since the new Tariff has been in force, when machinery for the manufacture of cotton was admitted free of duty. The result was that the manufacturers of other goods felt that an injustice was being done to them, because they could not get in their machinery on the same terms as cotton machinery. The Government, by an Order in Council, changed that state of affairs, and in doing so I certainly think they acted right, as it placed all on the same footing. In Hamilton a new cotton factory is being established. The company made application a few days ago to be placed on the same footing as the factory which had been started a few months before, and which had got out a large portion of its machinery free of duty. The application was refused because it was made too late, the Order in Council which abrogated the free admission of this machinery having been passed. Now if this amendment were carried, those gentlemen and others throughout the country would claim a like protection. Under the circumstances, however anxious the House may be to encourage this great industry, which, I hope, will go on and prosper, as I have no doubt it will, I feel constrained to dissent from the proposition of the hon. member for Stanstead.

Mr. WHITE (Cardwell). I think that my hon. friend from Hamilton has rather misapprehended the ground upon which this motion is based. There can be no doubt whatever that, as a general proposition as he has submitted it, if you admit the machinery for one manufacture free of duty, you cannot very well refuse to admit the machinery for another manufacture free; but the ground on which this proposition is based is that on which—a great many years before there was much talk about protection in Canada, except such talk as arose out of the Tariff of 1859—machinery for manufactures was admitted free. It is that this particular industry is one which is surrounded by so many contingencies, that it is not certain whether it will succeed in this country. Of its value, if it does succeed, there can be no two opinions. Every one

Mr. DOMVILLE.

admits that it is an industry which, if successful, will not only be successful in the production of a cheap article of sugar, but will be successful in many other respects in advancing the material interests of the country. It therefore ought to be promoted by every means that can be well adopted. As the hon. member for Stanstead has pointed out, the conditions with regard to the manufacture of cotton are well established. A man enters upon its manufacture with the certainty that he can get his raw material. The whole question is a mere question of supply and demand. There is no doubt, therefore, beyond the general doubt that obtains in all commercial transactions, as to the enterprise when any person chooses to enter upon it; but in this case we have first the question whether the farmers will be disposed to enter on a culture of this kind, and the success of the enterprise depends primarily on that. If the farmers find that the cultivation of the beet is a matter of profit—and that remains to be seen—then the success of this enterprise is practically established. But if it is not a matter of profit, and it should be seen that it would be better to raise other roots, hay and grain, the success of the enterprise will be gone. It is an experiment from the very first, depending upon so many circumstances of that kind, that I think it may fairly be taken out of the ordinary category of manufactures, and receive some more substantial protection. There is another element of doubt in the matter. The hon. Finance Minister points out that the protection to the manufacture of sugar from beets is very great. But there is no guarantee that it will be continued. What he proposes is to guarantee that no Excise duty shall be charged on the sugar made from the beets for eight years, not that the protection of forty per cent. or whatever protection is afforded the refiners under the present Tariff shall be continued for that period. In future another ruling party may largely reduce the duty on sugar; indeed, even the present Government might reduce the duty, seeing that they can actually continue to protect sugar refining, while largely reducing the tax on the consumer, by reducing, relatively, the duty on the raw material of the refined sugar. If Government abolished the duty altogether on raw sugar to-morrow, and imposed 15 per cent. on refined, the refiners would have as large a protection, practically, as they have at present. There is no guarantee afforded anyone embarking in this enterprise that he is going to have this protection for the next eight years. Thus this enterprise stands separated from almost any other in the variety of advantages it will confer upon the country if successful, and separated from all others in the fact that, until experience proves its success, its fate is doubtful. Under the circumstances I think the hon. Finance Minister runs no risk of this particular concession now asked for being drawn into a precedent with regard to other industries, all the conditions of which are well established and well known to everyone who enters into them. I sincerely hope the hon. gentleman will be able to see his way to consider favorably the motion of the hon. member for Stanstead.

Mr. DOULL. I do not rise for the purpose of opposing the amendment, but I think its adoption would prove a discrimination in favor of one industry as against others. Some time ago I applied to the hon. Finance Minister for the admission of some machinery used for mining purposes, free of duty, but he objected. I think that if the machinery required in this beet sugar industry be admitted free of duty, that required for all others should be, if not manufactured in Canada.

Sir LEONARD TILLEY. I have called the attention to the difficulty, evidence of which is furnished by the remarks of hon. gentlemen, that would arise from the passing of the amendment. I remember the application for assistance made to the Government, in regard to the article of tubes,

mentioned by one hon. member. It was pleaded that it was a new industry, and that the machinery needed should be admitted free. The answer of the Government to such application is, that all machinery is subject to duties. I also remember the appeal of the hon. gentleman who has just sat down (Mr. Doull) at a time when there was a large importation of machinery into Nova Scotia for mining purposes—that that Provincial industry should receive consideration in the matter. But it could not be granted, the answer being that, if any should, all machinery should be admitted free. The only industry that now presents the same argument as that sought to be favored, has a protection of  $7\frac{1}{2}$  per cent. The protection in this case would be 70 per cent.—no industry would be protected like this one under the proposition of the amendment. The member for Cardwell says that a new Government by-and-bye, probably formed by hon. gentlemen opposite, may introduce a new policy with reference to the sugar industry. But the duty they imposed before, of from 42 to  $47\frac{1}{2}$  per cent. was almost as great as the present, and would constitute a very large protection. When in France, in 1873, the gentleman who gave me information respecting the sugar industry of that country, pointed out the difference in the duties on cane and beet root sugar, respectively, and though the difference was largely in favor of the beet sugar, the cane sugar business was in a flourishing state. Gentlemen going into the sugar industry in Canada, did not depend upon any Government decision as to whether they would have to pay duty on imported machinery or not. No body of men would invest their capital in this business until certain of getting the beets wanted from the farmers. I heard that Redpath, of Montreal, imported machinery sometime ago for the manufacture of sugar from beets, but they said their difficulty was that they could not get the farmers to raise the beets, and so the machinery had to lie idle. I take it for granted that if the capitalists, interested in this new industry, do not obtain an assurance of a certain amount of beets at a certain price, they will not embark in it. The Government, feeling the importance of giving every encouragement to this industry, have proposed this motion. The exemption from duty of this machinery would occasion similar appeals from twenty other members in this House, who would say: "Here is an industry protected 50 per cent.; the industry for which I plead receives a protection of but 8 or  $10\frac{1}{2}$ , and yet you give more protection to the industry already so largely thus benefitted, while you deny it to mine." That is the difficulty the Government must meet if it accepted this proposal. After considering the matter in all its bearings, and while always anxious to meet the reasonable views of every one, we thought it would be wisest to extend the period of the exemption of beet sugar from Excise duty from six to eight years. The question is surrounded with difficulty, and not the least of difficulties is to decide between what machinery can be made in the country and what cannot.

Mr. COLBY. The hon. gentleman thinks he finds himself in this difficulty: that if he concedes this point to us, then he must make concessions to all other manufactures. There is no such difficulty before the hon. gentleman, he is in no such dilemma. The hon. gentleman proposes to exempt the beet root sugar industry from Excise duty for eight years, and must he, therefore, exempt every other industry from Excise duty? If, for instance, the tobacco manufacturers were to come to him and say: "You have exempted the beet root sugar industry from Excise taxes for eight years, and we too want that exemption." Would not the hon. gentleman's answer be: "That trade is an exceptional industry, and we believe it will be vastly to the advantage of the farmers of this country, that he experiment should be tried, and we therefore gave them his inducement." Now, all I ask the hon. gentleman is that he should carry this principle one step further. The

exemption from Excise is exceptional, and it is justified by the actual condition of the case, and I say that the exemption of this machinery from duty would be justifiable on the same principle. I can assure the Finance Minister that he is in error when he supposes that the directors of the beet root sugar factories have secured, or can secure, a sufficiently large supply of beets. In my own county I know that they have not done so; that, in fact, they have secured only a partial supply for the present year, and they are running the risk of their supplies coming to an end at the close of the year. Owing, I say, either to the unskilfulness of the farmers, or any distaste they might take for the crop, or, in fact, to any other reason which might prevent the farmer from going on with the cultivation of the beet, there is in this business an element of risk which applies to no other industry. You can buy cotton or wool or raw sugar in the market, but as regards this article, no company can be sure of getting a supply of the necessary material for a single year, further than the quantity it may grow upon its own lands. I say that this industry is exceptionally situated, and that, therefore, it should receive exceptional consideration, and for the Government to say, after having exempted this industry from Excise, that they cannot go a step farther and remove this duty, does seem to me like straining at a gnat. I think the hon. gentleman should accept what appears to be the almost unanimous wish of the House, for the hon. gentleman must see from the speeches of hon. members who have spoken that it is the almost unanimous sentiment of the House that the amendment should be adopted.

Sir JOHN A. MACDONALD. I think there is a principle underlying this matter which has not received a full consideration. It is quite true, as the Finance Minister has said, that if you allow machinery in free for this industry, you cannot set up any substantial reason why other industries should not be similarly favored. I give every weight to the argument of my hon. friend who has just spoken, that there is an exceptional risk in this business, and but for the danger I see in doing it, I would readily go with my hon. friend in the exemption which he asks. It is not from any loss to the revenue by the introduction of this machinery, but I say that if we were to do what the hon. gentleman asks we would be abandoning the principle upon which this Parliament was elected—the principle upon which this Government was formed, and you must remember that the battle of the National Policy is not yet fought out. You must remember that those opposed, and conscientiously opposed to us, those who say that that policy is a false one and ought to be reversed, will lose no opportunity—it is their duty to lose no opportunity—of reversing that policy; and I am surprised that the first stab at the National Policy should have been made by our own friends. Sir, there is a great danger before us in connection with this matter. There is the danger that capitalists who are now with some degree of trembling and hesitancy investing their capital in new enterprises—hesitancy because of the threat from the other side, because of the fear that the policy may not be a permanent policy—I say there is the danger that these gentlemen will be turned aside from their purpose if they find us tampering with the integrity of the National Policy. If say the iron manufacturers who hoped that this policy would be a permanent one, backed as it was by a vast majority of the country and maintained by the representatives of the people in Parliament, if they see us granting these special privileges to one industry, they will say that it is one blow at the National Policy. And if another industry comes along and makes out a good case, there is another blow, and so it will go on; and those who are about investing their capital in new industries will have no security which would encourage them to make these investments. They

will have no security that whenever a good case was made out for a particular industry, we would not remove a duty we had ourselves imposed, and override perhaps the very industry in which they intended to invest their money. In all the discussions which took place upon the National Policy, if there was one point which was laid down and argued almost *ad nauseam* by the majority, it was that we must make the policy a permanent policy, and we must adhere to that principle of permanency. We must make it permanent, and without making it prohibitory we should impose sufficient duty to give reasonable protection to our manufactures and every kind of industry which can fairly be established in this country. And when this policy is established and the protection is given, we must hold to it like grim death, and there must be no readjustment in the shape of a reduction. That is the principle upon which the National Policy has been adopted, and if it is not adhered to I would not give much for the permanence of the system. The principles of that policy were, first, moderate and reasonable protection, and, secondly, permanency. If it were not that this motion strikes a blow at the principles of the National Policy I would go with my hon. friend, but I dread extremely entering the wedge by making a reduction of the duties we have imposed, after full consideration, as a part of the National Policy which shall guide the future commercial prosperity of the country. I warn the Committee that though this is a small matter it is a direct blow against the basis of the policy of the present Government.

Mr. COLBY. I am very sorry to have been charged by the hon. leader of the House with having been the first to propose a subversion of the National Policy, and if I really felt myself open to that imputation I should feel very much more regret. But I would remind the hon. leader of the House that when we expounded the National Policy to the electors before the last general election, we told them that while we were aiming at the protection of new industries, we had a double method of doing it—first, by direct Protection, next by exemption; that it was as much a part of a protective policy to relieve raw material, to relieve the manufacturer from the burden of paying heavy duties upon machinery that could not be manufactured in this country—that this was as much a part of the National Policy as a protective duty. I preached that doctrine on the floor of this House, and others joined me in preaching it to the people of this country. Now, according to the National Policy as we expounded it before the elections, the exemption of all machinery which is not manufactured in this country is as much a part of this policy as the exemption of raw material. We proposed to lighten the burdens which rested upon the manufacturer; not to handicap him, but to take off every unnecessary burden, and it is a burden to him to pay the Government a tax upon necessary machinery which he has to use. By this resolution I do not propose to admit a single article that is now manufactured in this country. It is not at all a difficult resolution to give effect to. This is a particular class of machinery which is not made in this country. No Canadian manufacturer makes it, no one expects to make it, and no one will make it. Its free admission does not injure any one, but it is simply lightening the burden which rests on those who are establishing a new industry in this country, and it is carrying out the principle which we promised to support at the last election. The Finance Minister, in effect, admits the principle himself. He does not say the principle of the free admission of all machinery which is not manufactured in this country, is contrary to the National Policy. He says no such thing; he only says it is inconvenient to discriminate. The principle is sound, but it is attended with an inconvenience. That is the ground he has taken. If he takes different ground, if he takes the ground of the leader of the Government, he will be heterodox to the National Policy. The essence of that policy is to

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lighten the burdens which rest upon those who propose to establish new industries into the country. Those were the views upon which we were elected to this House; and those are the views which the Finance Minister tells us he cannot give effect to, because he finds it inconvenient in practice to do so. I cannot see where any possible difficulty can arise in this case. It is an exceptional case altogether. The exemption from Excise is exceptional; the Finance Minister has no difficulty in making that exception, and I merely ask him to extend a principle he has already adopted, so as to apply it to the machinery which cannot be manufactured in this country, and I believe that he will consult the wishes of this House by doing so.

Mr. MILLS. There is an obvious difference among the expositors, or the *doctrinaires*, of the National Policy. They differ not only in regard to the manner in which effect shall be given to it, but they also dispute as to what particular line of policy comes within the operation of this highly useful and highly necessary stimulant of industrial pursuits in this country. I would suggest to the First Minister that one of the most remarkable exceptions to the doctrine he has just laid down is the exemption of steel rails used by a certain railway company in Canada from taxation for all time to come. If the hon. gentleman was such a stickler for upholding the National Policy in all its integrity, it does seem very extraordinary that some millions of dollars worth of steel rails, that we were told were of themselves sufficient to induce a large number of people to engage in this industry, should have been exempted from taxation.

Resolution reported and read the first time.

On motion for second reading.

Mr. COLBY moved in amendment:

That the Resolution be referred back to a Committee of the Whole, with instructions to add a clause to provide for the admission free of duty until the first day of September next, of such parts of machinery to be used in the manufacture of beet root sugar as are not manufactured in this country.

He said: I desire to make only one further observation. This is a matter which very deeply concerns my constituency. One of the municipalities of my constituency has subscribed \$25,000 to an enterprise of this kind, which is to be for the general advantage of the community. I feel it to be my duty, not alone upon the grounds which I have stated in my former observations, but particularly as the representative of a constituency possessing a very important interest which will be affected by this resolution, to move this amendment.

Amendment negatived on the following division:—

YEAS:  
Messieurs

Anglin,	Gillies,	Olivier,
Béchar,	Gillmor,	Quimet,
Benoit,	Gunn,	Paterson (Brant),
Blake,	Guthrie,	Pickard,
Borden,	Hilliard,	Pinsonneault,
Bourassa,	Holton,	Rinfret,
Bourbeau,	Houde,	Rogers,
Brooks,	Huntington,	Royal,
Brown,	King,	Rymal,
Burpee (St. John),	Kirkpatrick,	Scriver,
Burpee (Sunbury),	Landry,	Skinner,
Cameron (Victoria),	MacDonnell (Inverness),	Smith,
Cartwright,	Mackenzie,	Snowball,
Casey,	McIsaac,	Stephenson,
Charlton,	Malouin,	Tassé,
Colby,	Manson,	Thompson,
Coursol,	Masson,	Trow,
Currier,	Massue,	Weldon,
Desjardins,	Merner,	Wheler,
Dumont,	Méthot,	White (Cardwell),
Fleming,	Mills,	Wright,
Gault,	Montplaisir,	Yeo.—67.
Geoffrion,		

NAYS:

Messieurs

Allison,	Hackett,	Mousseau,
Arkell,	Haggart,	Muttart,
Bill,	Hay,	O'Connor,
Bolduc,	Hesson,	Ogden,
Bowell,	Hooper,	Patterson (Essex),
Bunting,	Hurteau,	Platt,
Burham,	Jackson,	Plumb,
Carling,	Jones,	Pope (Compton),
Caron,	Kaulbach,	Pope (Queen's),
Cimon,	Killam,	Richey,
Costigan,	Kilvert,	Robertson (Hamilton),
Coughlin,	Kranz,	Rouleau,
Cuthbert,	Lane,	Routhier,
Daly,	Langevin,	Ryan (Marquette),
Daoust,	Lantier,	Ryan (Montreal),
Dawson,	Little,	Rykert,
Desaulniers,	Macdonald (King's),	Scott,
Domville,	Macdonald (Sir John),	Shaw,
Doull,	McDonald (Cape Breton),	Sproule,
Draw,	McDonald (Pictou),	Tilley,
Ellicott,	McCallum,	Valin,
Farrow,	McQuaig,	Vallée,
Fitzsimmons,	McDougall,	Wade,
Fortin,	McKay,	Wallace (Norfolk),
Gigault,	McLeod,	Wallace (York),
Girouard (Kent),	McRory,	White (Renfrew),
Grandbois,	Mongenais,	Williams.—81.

Resolution read the second time and concurred in.

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

AFTER RECESS.

PERSONAL EXPLANATION.

Mr. MACDONNELL (Inverness). I wish to call attention to the following language which the hon. member for Guysborough (Mr. Ogden) made use of with reference to me during the debate last night:—

"Many hon. members perhaps remember the day when he was making a very important speech in this House. There was then no *Hansa d*, but there were many ladies and gentlemen in the gallery, and many clever newspaper reporters in the press gallery—perhaps no more so than those there to-day, because I believe there is as good a staff in the gallery to-day as ever sat in the Dominion Parliament—and this hon. gentleman stood up, and fearing that he was not heard, shouted: 'Do you hear what I am saying in the gallery? If you do, write it down.'"

I did not at the time understand the import of the words. If I had, I should have said, as I say now, that I never made such an appeal to the gallery, and I feel sure the hon. gentleman was joking. I take this opportunity of calling the hon. gentleman's attention to it.

Mr. OGDEN. I must confess that I did give utterance to the words credited to me in the *Hansard*. I was informed by several hon. gentlemen that on one occasion, when addressing the House, he did look up to the gallery and say: "Do you hear what I am saying now?" I think it was in 1873, when, I am informed, he was supporting the party now in power. Before making the statement last night, I enquired of an hon. gentleman who sits near me if the hon. member for Inverness had made such a statement, and he told me he had. If I have made a statement which is incorrect, I did it from having been misled by several hon. members of this House. I apologize to the hon. member if I have been fooled in this matter; really, it is no fault of mine.

Mr. MACDONNELL (Inverness). There are many hon. gentlemen in this House who have been in it since 1873, and if any hon. gentleman was a witness of such conduct on my part, I should like to hear from him.

CIVIL SERVICE COMMISSIONERS' REPORT.

Sir JOHN A. MACDONALD laid on the Table of the House the Report of the Civil Service Commission.

NAVIGATION OF CANADIAN WATERS.

The following Bill was read the third time and passed:—

Bill (No. 57) to give power to the Governor in Council to suspend the operation of certain provisions of the Act 43 Victoria, Chap. 29, respecting the Navigation of Canadian Waters—(Mr. Pope, Queen's.)

CANADA MILITARY ASYLUM.

The following Bill was read the second time, considered in Committee, reported, read the third time and passed:—

Bill (No. 76) respecting the Canada Military Asylum at Quebec.—(Sir John A. Macdonald.)

SUPPLY.

House again resolved itself into Committee of Supply.

1. Charges of Management..... \$215,077 96

Sir LEONARD TILLEY. It is well known to my predecessor that only a portion of this was formerly voted by Parliament. The commission paid to agents for the redemption of debt, and the commission for a sinking fund, with the charges connected, were treated as if provided for by law, but the attention of the Government was called recently by the Auditor-General to the matter, and doubt was expressed by him whether they should not be voted by Parliament. The hon. Minister of Justice concurred in the opinion of the Auditor-General, and they are all now included in one vote. It will be observed there is a decrease of \$2,200 in the expenditure of the department at Winnipeg, as compared with the votes last year. The reduction took place eighteen months ago, but the usual amount was entered in the Estimates last year which makes the saving appear in the Estimates for next year.

Sir RICHARD J. CARTWRIGHT. Is the hon. Minister prepared to give any information as to the state of the negotiations with the agents with respect to the commissions?

Sir LEONARD TILLEY. No; no arrangements have yet been made.

6. Department of Militia ..... \$36,690 00

Mr. MACKENZIE. I wish to inform the Minister of Militia that, when we come to this item in concurrence, I intend to ask the attention of the hon. gentleman and the House to the treatment received by certain officers of the 10th Royals, in being dismissed without any reason from the position they held in that regiment previous to its late reorganization. If the hon. gentleman can give the information now I shall be satisfied.

Mr. CARON. So far as the 10th Royals are concerned, a good deal of correspondence had been exchanged between several of the officers and the department previous to my taking charge of the department. This regiment was disorganized to a very great extent. My predecessor in office entrusted Colonel Grasset with the duty of reforming the regiment as it now stands. The task of reorganizing the regiment was entrusted to Colonel Grasset, to whom we gave the privilege of selecting his own officers. Several of the gentlemen who had previously been officers of the regiment were selected and others had to be left out. Several of the old officers were allowed to retire retaining their rank. The department has shown every consideration to those who were left out, but, of course, we could not interfere with the appointment of the officers after entrusting Colonel Grasset with the reorganization of the regiment.

Mr. MACKENZIE. The explanation of the hon. gentleman is eminently unsatisfactory. The regiment was not disbanded, and these officers were dismissed without the

shadow of a charge being made against them, or any pretence of a trial. Some of them were officers of the militia for nearly twenty years; some were for months on the frontier during the Fenian raid, and yet I am told the department refuses to answer the letters in which they ask for the reasons for their dismissal. Colonel Grasset may be a good officer and a great man—I believe he is—but he should not be allowed to override the department and the hon. Minister. Why were these officers got rid of, without a charge against them, to make room for others who are no better, so far as I know. These gentlemen were in the regiment for many years, and, so far as I knew, performed their duties satisfactorily, and yet they are treated in this improper and I may say illegal manner. We must have more satisfactory reasons than the hon. Minister has yet assigned for his treating, in that way, men who have served their country, treating them in a way which has never been equalled in the history of the Canadian militia. Because the regiment deteriorated under the management of a gentleman who was unfit for his position, and was maintained in his position in defiance of public opinion, they now dismiss men against whom no charge is made after the inefficient colonel has voluntarily left the regiment. If such treatment is to be the rule, the Militia Department and its head will soon lose the confidence of the volunteer force and the country at large.

Mr. CARON. Any letters received in the department since I have had charge of it have been answered. Upon the other point I can only repeat that it was impossible for the Government to interfere with Colonel Grasset in the appointment of his officers. There may be a question as to whether or not the regiment should have been disbanded, but at all events we came to the conclusion that a change was absolutely necessary, and the work of reorganization was entrusted to Colonel Grasset.

Mr. MACKENZIE. Why were officers dismissed when no accusations were made against them, and why was a court of enquiry refused?

Mr. CARON. The course was adopted of endeavoring to place the regiment in a position of efficiency, and of course after entrusting Colonel Grasset with the appointment of the officers, we could not interfere with his appointments.

Mr. MACKENZIE. As the hon. Minister of Militia seems unable to make a satisfactory explanation I hope the Prime Minister will do so. The regiment is suddenly deprived of its officers by the tyrannical act of the Government, and the appointment of other officers is entrusted to one individual who is now colonel of the regiment. If there had been an accusation against these men, I would be the last to defend them, but there was no charge, and no enquiry, and no reasons assigned for the course which has been taken. I think that officers, who were at a great deal of expense and trouble in maintaining their regiment, have surely a right to be kept in their places, so long as they perform their duties. As I have stated already, the Government kept the previous colonel in his place for many months after his incapacity was demonstrated. And after this gentleman's voluntary resignation, if I recollect right, and without any communication whatever with the officers, the department entrusted Colonel Grasset with the duty of choosing a complete new set of officers. Why was this done? Why was not justice dealt out to these parties as well as to other members of the service? Surely the Government has no desire to cast obloquy on them who do not deserve it? Surely the Government are aware that the militia system can only be maintained by fair play to all who compose the force—only by giving it stability and credit in the eyes of the country, and ensuring the position of every man in the service so long as his conduct deserves it; only by such a course can the Government expect to

Mr. MACKENZIE.

obtain the best material in the country for its militia service.

Sir JOHN A. MACDONALD. I think the hon. member for Lambton is a little unreasonable, as he is aware that the hon. Minister has just taken office. This matter arose during the time his predecessor held office; nevertheless, the hon. gentleman (Mr. Mackenzie) on the ordinary item respecting the salaries of officers at headquarters, enters into a discussion of the whole subject without notice.

Mr. MACKENZIE. I informed the hon. Minister I would call attention to the subject, either on concurrence or to-day; and the hon. gentleman selected the latter.

Sir JOHN A. MACDONALD. The hon. gentleman has, however, entered into all the details of the matter. The department has its statement, which it must on its own responsibility bring down in due time, notice being given, and it will no doubt appear that the department acted according to the rules of the service. The hon. member for Lambton has said the colonel was kept in office for months and years by the Government. It must have been by the late Government for the present Government have only been in power two years. According to my general recollection there was a court of enquiry held, and the report was that while there had been considerable irregularities, the court held that the colonel was not unworthy of having command. This court of enquiry was held, but I concur in the view that all the papers should be brought down so that we may have the whole matter investigated. It is, of course, a serious matter to deprive any officer of his commission. Any thing like censure, especially a man holding the position of officer in the militia, ought not to be lightly undertaken by the department or commanding officer. No doubt the Minister will bring down all the papers, so that we may have explanations in concurrence or some other convenient time.

Mr. MACKENZIE. The wrong has been done and cannot be righted, but the officers are entitled to the declaration of the Minister that there was no cause for their removal.

Sir JOHN A. MACDONALD. I know that if the Minister, the department or the Government, have made a mistake in regard to anything or anybody, those officers, if they have been dealt with unjustly or by misadventure, are entitled to any statement made in the House. No doubt the hon. Minister of Militia will be quite ready to do so, if on looking over the papers he finds the officers have been badly treated, and that either the department or the Minister committed a mistake. I do not now admit that any mistake has been committed, as I have only cursorily looked into the case.

Mr. CARON. A court of enquiry was held, and the papers have been asked for. There has been no delay in the department.

Mr. MACKENZIE. There was no court of enquiry as to the officers dismissed by Col. Grasset. The enquiry to which the hon. gentleman refers was held long ago in respect to Col. Stollery and I am not concerned with that matter.

Mr. CARON. The court of enquiry was held prior to Col. Grasset taking command of the regiment. When the papers are brought down the hon. gentleman will see the exact state of the case, and what the position of the regiment was when the commission was entrusted to Col. Grasset.

Mr. CAMERON (Victoria). I heard much discussion in Toronto on this subject, and the universal opinion expressed there was that the only possible course the Government could have adopted in order to save the regiment from being disbanded was that which they did adopt. The regiment had fallen into such a state of demoralization, not among the rank and file, but among the officers, such quarrelling among themselves, in fact for all purposes of military discipline and

command they were useless—that the general opinion in Toronto is that the only possible course to follow is that which the Government has adopted, namely, to get a new set of officers into the regiment. Efforts were made during many months to induce different gentlemen to take command of the regiment, but every one who was approached and considered the subject, found so much quarrelling among the officers, that they refused the offer. The officers themselves held several meetings and endeavored to select an officer whom they might recommend for the command of the regiment, but the officers failed to agree, and when there was no other alternative except the total disbandment of the regiment, Col. Grasset accepted the command, with the understanding that all the officers should be removed, and that he should have the right of selecting his own officers, and might take from among the officers such as were efficient and would work in harmony with the course adopted by the Government. Col. Grasset was universally considered in Toronto as being the most competent officer that could be selected for the position. He is a gentleman of large experience in the regular service; born and brought up at Toronto, was adjutant of the 100th Regiment for some years, possesses agreeable manners, has a good knowledge of business, and all the qualifications which go to make a good commanding officer. If that course had not been adopted the regiment must have been disbanded and the people of Toronto would have been very much dissatisfied. The citizens are proud of the regiment; the rank and file are as fine a body as can be found in the volunteer service; and I am confident the unanimous feeling in Toronto was that the action taken was the only action possible under the circumstances to save the existence, character and credit of the regiment.

Sir RICHARD J. CARTWRIGHT. That may be all true; but it appears that the officers were first dismissed, and after some considerable time they were reinstated and allowed to retire with rank. There must have been some haste or want of consideration in the action of the department.

7. Secretary of State ..... \$38,985 00

Sir RICHARD J. CARTWRIGHT. I perceive there is a large increase in the Department of the Secretary of State, amounting to nearly \$4,000. I also see some rather curious increases in connection with this which hardly appears to me to be in conformity with the Civil Service Act. I notice that the salary of the Keeper of Records is increased from \$1,850 to \$2,100; while, in the case of the Queen's Printer, his salary is reduced from \$2,250 to \$2,200. In the case of eight junior second class clerks they appear each to have received an increase of \$100. The total strength is also increased by two additional clerks. I presume the hon. Minister will explain in detail all these alterations.

Mr. MILLS. I observe, on looking at the cost of Civil Government in 1878, when the Mounted Police was under the control of the Department of the Secretary of State, that the number of clerks employed was twenty-nine, and the total cost of that department was \$33,990. Now, since the Mounted Police have been transferred to the Department of the Interior, and there is still less to do in the Department of the Secretary of State than before, the number of clerks is increased to thirty-five, being six more than there was at that time, while the total expenditure is to be \$38,985. There has also been transferred to that department two clerks who are paid respectively \$1,700 and \$1,000. I find in the Department of the Interior that the cost of this police branch has been increased from \$2,700 to \$5,050, so if we were to add this \$5,050 to the expenditure of the Department of the Secretary of State, we would have \$44,000 as the expenditure of that department against \$33,990 in 1878. If there was any foundation for the charges of extravagance which

the hon. gentleman made at that time, what word will properly designate the manner in which the hon. gentleman is managing the affairs of this department now?

Mr. O'CONNOR. The matter to which the hon. member calls attention is easily explained. In the first place the Keeper of the Records claims that he is entitled to something for two or three years back, and shows he has a right to it. As to the salary of the Queen's Printer there is evidently a mistake in the figures; the figures have been transposed from one column to the other. As to the increase of \$100 a year to the junior second-class clerks, the explanation is this: They were entitled to an increase of \$50 last April and did not get it, they are entitled to another increase next April, and the two have been put together. All this is a statutory increase except one item. There is one item of \$600 for my private secretary. My predecessor had no private secretary, and therefore the sum is an increase. The rest are all simply statutory increases. As to the matter referred to by the hon. member for Bothwell (Mr. Mills), I know nothing about it.

Sir RICHARD J. CARTWRIGHT. They cannot be all statutory increases for there are two additional officers.

Mr. O'CONNOR. No; there is but one additional officer.

Sir RICHARD J. CARTWRIGHT. There is two third-class clerks at \$650 and \$550, and the number is raised from thirty-three to thirty-five.

Mr. O'CONNOR. I know of only one. I was not aware of three second-class clerks having been appointed. Only one has been appointed since I came into office, and that was a temporary clerk made permanent. I suppose the other is the private secretary.

Sir LEONARD TILLEY. With reference to the Keeper of Records, I may state that that officer received, in addition to his salary down to two years ago, \$1.50 a day, which he considered as a compensation for not placing him at a higher rate at the time he was appointed. The Government thought that instead of paying him \$1.50 a day additional for a year, it would be better to have the whole sum brought down and voted by the House, and that is the reason of this increase of \$250.

Mr. BLAKE. I really think if the hon. Minister in charge of that department finds his staff has increased by two, about one of which he knows nothing, he had better enquire into the matter. I think the statement—for I cannot call it an explanation—of the hon. Minister, with reference to the comparative expense in the department as it was a little while ago and as it is now, is not very satisfactory. It is quite true he has but recently come there; but I suppose it was his duty to make himself acquainted with the financial history of the department for a year or two previous, and if he cannot give us any information on the subject, perhaps some of his colleagues are better instructed on it, and would be able to inform us how it comes to pass that with such a decided diminution in the business of the department there should be such a decided increase in the staff and in the expenses.

Mr. O'CONNOR. There is no increase in the staff at all. It is probable that some one was appointed during the recess before I went into the department. In one case, a clerk who has been employed temporarily for three years has been made a permanent clerk. I believe there is not, at this moment, a single clerk more than is necessary for carrying on the business of the department.

Mr. MILLS. This is rather an extraordinary statement. In 1878 there were but 29 clerks in this department, two of whom had the management of the police branch. Now, the hon. gentleman proposes to have 35 to do the work which was done by 27 three years ago. The hon. gentleman has failed to explain, why, without any increase in the work,

he wants seven more clerks and one more messenger than were required in 1878. In 1878 the hon. gentleman who now leads the Government complained that there were then too many, and that there ought to be greater economy in the management of the affairs of that department. The hon. gentleman has not had three years of supervision over the affairs of the Government, and he has increased the expense of controlling the police from \$2,500 to \$5,050, and the Department of the Secretary of State has increased from \$32,000 to \$38,985. The hon. gentleman has not attempted to give any explanation of this. In 1878 there were three junior second class clerks, now there are eight; there were then nine third class clerks, now there are eight; so that I suppose seven of these junior third class clerks have been made junior second class clerks, and a large number of new men have been introduced into this department, for which I have no hesitation in saying there is not the slightest justification.

Sir LEONARD TILLEY. I think it was stated last year that during the year preceding three or four persons were taken from the temporary staff in the Department of the Secretary of State and added to the permanent list. That occurred very generally in the departments, because the contingencies which in 1877-78 were \$158,174, were reduced in the following year to \$139,750.

Sir RICHARD J. CARTWRIGHT. I observe that the contingencies for 1882 are precisely the same amount as those for 1881.

Sir LEONARD TILLEY. It is the previous year I refer to.

Sir RICHARD J. CARTWRIGHT. I rather expect these temporary clerks will go on increasing forever. The fact is, you have now ten more officials for the service of the Secretary of State than you had in 1878—35 against 25.

Mr. O'CONNOR. The hon. gentleman is rather curious in his calculation. In the 35 he counts the messengers as well as the private secretary.

Sir RICHARD J. CARTWRIGHT. If the hon. gentleman looks at the Estimates of 1878, he will see that four messengers were counted among the 27. Now he asks for five messengers.

Mr. O'CONNOR. No; only four.

Sir RICHARD J. CARTWRIGHT. The Estimates say five. If he means that he only requires four, we can accommodate him.

Mr. BLAKE. I suppose the hon. gentleman's statement means that there are only four messengers in the department although there are five in the Estimates. Will he state how many extra clerks there are on the staff now?

Mr. O'CONNOR. I do not know of any.

Mr. BLAKE. Will he say how many there were in the last financial year.

Mr. O'CONNOR. There were three. One of the messengers has been, for a long time past, on the sick list, and he may not be of any use for a while yet, although it is not thought proper to superannuate him.

Mr. MACKENZIE. But it is not usual to put another officer on the permanent list because the incumbent is sick. You should only make temporary arrangements while he is sick. It appears that four messengers are the permanent staff, and yet he asks for five. I move that you strike off one of the messengers.

Sir LEONARD TILLEY. In the contingencies of 1878 there are included the cost of nine extra clerks, and some of these have been transferred to the permanent list.

Mr. BLAKE. In the last financial year there are included in the contingencies the cost of eight extra clerks,

Mr. MILLS.

and the hon. gentleman did not know that there were any extra clerks in his office.

8. The Department of Interior.....\$54,580 00  
9. The Department of Indian Affairs..... 17,500 00

Sir JOHN A. MACDONALD explained the nature of the increase. It amounted only to \$9,260, made up by statutory increases and the rapidly increasing business of the departments. The Surveyor General stated that during the whole of the summer such was the increase of work in the North-West, specially in the draught-room, that they had to employ extra draught-men, and there must be an increase rather than a decrease in the staff. Of course, those men requiring special qualifications were better paid than ordinary copying clerks.

Mr. MILLS. I do not think the statement of the hon. gentleman is altogether correct. In 1878, when the large map was being prepared, the work of the department was greater than it has been at any time since. I observe by the return which the hon. gentleman has brought down, that up to this time, in Manitoba and the North-West, upwards of 12,000,000 acres have been surveyed. Taking an average of five people to every 320 acres, these 12,000,000 acres will provide room for 6,000,000 or 8,000,000 of a population. It is perfectly obvious that the work of surveying has been going on far more rapidly than the demands of settlement occasion, and the consequence will be that the boundaries of many of those lands now being marked out will have disappeared before settlement takes place, and the work will require to be done over again. I observe that out of 12,000,000 acres surveyed, although the larger portion has been purchased by speculators, and a considerable portion went to the half-breeds, only about 5,000,000 acres have been taken up. This of itself is sufficient to show that the work has gone on very much in advance of settlement, and of the actual requirements of the country. Now, the right hon. gentleman, some years ago, when he made a considerable increase in the expenditure of the department, said it was due to the fact that he had transferred from the temporary list those clerks who were receiving daily employment in the department, to the permanent staff, and that the increase was apparent rather than real. But, looking over the contingencies of the department, I observe there is just about the same charge now as before. I believe the contingencies portion of his staff, if I may use the phrase, is now larger than at any former time. I find, also, that the permanent staff has been very largely increased. We remember the hon. gentleman began his management by dismissing his deputy, Mr. Buckingham, the reason he gave being, not that Mr. Buckingham was an improper officer, or that his appointment was an improper one, but that it was necessary to practice economy. The hon. gentleman stated he could introduce into his department greater economy by calling upon the gentleman who had before been Surveyor-General to discharge the duties of Deputy Minister and Assistant Surveyor General and Surveyor General on the footing he stood on when he accepted office, and that the professions of economy with which he accepted office have been quite lost sight of. I find that the expense of the hon. gentleman's department in 1878, was \$44,560, and that provision is made for adding largely to the staff. The cost of the department has increased the first year of the present Government from \$43,000 to \$57,020, not including the cost of the police branch, which, if counted with the larger item, would make the expenditure for that year \$60,070. So far as we can gather from the Public Accounts of last year and the provision for this year, the staff of the department has increased, or is about to be increased, from thirty-six to seventy, thirty-four clerks in three years. Now thirty-six he considered, formerly, a large staff, so large that he divided the House in regard to one new

appointment that I contemplated making. Now it is proposed to increase the staff to seventy, and the expense, not counting the management of the police, from \$46,000 to \$ 8,830. I do not think there has been any increase in the work of the department to justify so large an expenditure. In those \$46,000 was included the salary of the Inspector of Indian Agencies in the North-West Territories, \$1,800, which is not now included in the cost of the department, it being transferred to the office of the Commissioner of Indian Affairs of the North-West.

Sir JOHN A. MACDONALD. Was that the Inspector of Timber Licenses?

Mr. MILLS. I refer to the salary of Mr. McCaul, Indian Inspector. The hon. gentleman charged the late Government with centralizing the management of North-West affairs too much in Ottawa, and asserted that they could be better managed by an officer in the North-West. He has organized a separate department, which, so far as I can learn, is not responsible to the Indian branch in Ottawa. He has appointed a Deputy Minister because of the importance of his position, and has minimized that importance by creating a separate branch, over which that officer cannot exercise jurisdiction. It is pretty clear that the expense of the department, leaving out of view the police branch, has been increased from \$34,000 to \$68,000 within three years, and there is nothing disclosed down to the date of the hon. gentleman's last report to warrant that extraordinary increase. The present Minister, as these Estimates show, has also increased the cost of the Ordnance branch without any increase of the work occurring. Then again, while the police branch was under the Department of the Secretary of State, it cost \$2,700 a year; now it costs \$5,050. One clerk gets \$2,100, another \$1,250, a third \$1,150, and a messenger \$450. The hon. gentleman cannot show, however, that there has been any more cost incurred in the management of the department than before—that a larger number of communications are received or more work is done than before. The cost of management is just double what it was before the transfer took place. I think the hon. gentleman's professions of economy and his censure of his opponents have not been justified by his own success with regard either to economy or efficiency in the management of his department. In fact my impression is that the hon. gentleman has largely left the department to take care of itself. The system of evolution will hardly apply to the management of a Governmental department. The survival of the fittest is not always the result of that policy, and if it were, I am inclined to think the right hon. gentleman would not be here this evening.

Sir JOHN A. MACDONALD. I think it only shows the correctness of the principle of evolution to which the hon. gentleman has referred, that from the protoplasm of my hon. friend there has grown so much of life and vitality within two short years. The hon. gentleman says we have surveyed too much land, but there is where he and I differ. The hon. gentleman in his time was going on in the old fossil Conservative Tory system of surveying about a township and a half a year, thereby saving perhaps the salary of two or three draughtsmen and three or four surveyors, but thereby also keeping the country back. Our policy has been quite the reverse. Of course we might say to settlers: "There are so many lots, you must fill them up and then go on to the next," but you must remember that there are all kinds of soil and situation in that country, and that even the fancy of immigrants must be considered. Some may wish to go to the Rocky Mountains, others to the South Saskatchewan, others to the North Saskatchewan, others to the Turtle Mountain District, and the Government are endeavoring to meet the evident course of these streams of immigration. We cannot

limit settlers to a choice of six townships or twenty. Our desire has been to survey some 300 townships in different parts of the country every year, so that the emigrant shall have the same choice as those who go to the Western States, and the hon. gentleman will see that the proceeds of the sale of lands has justified their expense and the policy we have adopted, of not waiting for another generation, but going on with these surveys largely. With regard to the Mounted Police, though there has been considerable expense in the management of that body, it will be found that owing to the reforms we have introduced, and the strict supervision which has been exercised there has been a very large saving, and next year there will be a still greater saving. In order to produce these reforms it is necessary to have efficient supervision, and I am afraid that until lately such supervision has not been the rule. There are other causes to which I do not wish now to allude, having relation to officers who have not been equal to the responsibility imposed upon them, whereby great expense have been added to the maintenance of the force. I shall give the hon. gentleman to-morrow a statement in detail of the cost of draughting, etc., in the department. I had hoped to have had the statement to-night, but owing to some accident it has not reached my hands.

Mr. MILLS. The hon. gentleman will see, by looking at a return which he brought down the other day, that in 1875, for instance, a large amount was expended on surveys chargeable to the ordinary expenses of the year. The amount expended for surveys last year was about \$147,000, and I find the hon. gentleman has expended on the management of these surveys \$66,777, and there is a note in the return to which I have alluded, saying that part of this expense was for extra clerks. I should like to know, as a matter of information, how much of this appropriation is paid to the class of officers who are referred to in that return, for it is perfectly obvious from the return, that these expenses have not been paid out of the appropriation to the department. The additional expenses seem to have been paid out of the appropriation made for surveying purposes.

Sir JOHN A. MACDONALD. I shall bring down the information for which the hon. gentleman asks. With regard to the Mounted Police, I may say that there was an officer named Fortescue, who was not only a very good officer, but an accountant, and he was employed really in the capacity of quartermaster, and it was found convenient to bring him down here. He retained his salary in the transfer, and his duties are to see to the cost of supplies for the North-West Mounted Police.

Mr. BUNSTER. I desire to ask the leader of the Government what he intends to do with respect to the twenty-mile belt of railway lands in Vancouver Island, through which no surveys have yet been made.

Sir JOHN A. MACDONALD. I am not quite sure we have got the land yet. There is a provision in the treaty with British Columbia for twenty miles to be reserved on each side of the railway; but there is a difference of opinion between the Premier of British Columbia and myself as to what that means. I take it that we are not to measure land up hill and down dale, but twenty miles of land fit for settlement. We have not arrived at that point at which we feel ourselves justified in spending money in surveys there; but I hope we will come to some arrangement. In the Fraser Valley a good deal of land was taken up long ago. I am happy to believe that a good deal of the land is very rich in minerals, and perhaps we may be able to make it valuable for its mineral wealth. I am afraid of arable land we will not get much in the Fraser Valley. Pretty much all the good land has been taken possession of either by white men or Indians.

Mr. BUNSTER. I differ most emphatically from the Premier, who, I think, has been accepting advice from the

hon. member for West Durham (Mr. Blake). I assure the hon. gentleman there is a good deal of good land in British Columbia, and that among the land reserved by the Dominion Government for railway purposes. I know from personal observation there is a great deal of good land there fit for settlement. There is no one, however, to whom settlers can apply for information. There is no land office all over British Columbia. In the railway reserves, and within 100 miles of Victoria, there is good land. The reason why there is no emigration to British Columbia is simply because the railway lands are locked up in the hands of the Dominion Government, and there is no one to dispose of them to settlers. I ask the hon. the Premier to give the matter his serious consideration, and see that no injustice is done to the Province.

Sir JOHN A. MACDONALD. I do not mean to say there is not good land on Vancouver Island. I believe the Cowichan Valley is very good land indeed. I do not know its dimensions, but it is a fine valley, I am told, and that it is beautiful and romantic as well as being fit for settlement. At the upper end of the Island there are very desirable coal mines which were reserved by the British Columbia Government.

Mr. BUNSTER. At your request.

Sir JOHN A. MACDONALD. No doubt. It has been reserved by the Act, and the Government of Canada has not yet surveyed or laid out the land or disposed of it. I hope the matter will be settled, during the present year, with the British Columbia Government. That land having been conveyed to the Dominion by an Act of the British Columbia Legislature, it must be ratified by the Parliament of Canada. As to the mainland, I am very glad indeed to believe the hon. gentleman that there remains still valuable land in the valley of the Fraser. I was under the impression that the settlers who have gone in there had taken possession of the most valuable portions of the valley. Of course, we will try to take all the good land we can. We have a right to twenty miles on each side of the line of railway, and I earnestly hope that the hon. gentleman is correct in his statement that this forty miles tract contains very valuable land. Until the line of railway was settled, we did not know where our lands were at one time. Hon. gentlemen have said that it was at Bute Inlet. My mind ran strongly in that direction. Twenty miles on each side of the line up there would run through quite a different country, and hand over quite a different section of land. If the Fraser is selected, we must try to get our lands there somewhere. I dare say that British Columbia will agree that we are to get our reasonable quantity of land in consideration of the building of the road.

Mr. BUNSTER. British Columbia did not agree that you are always to keep the lands locked up without utilizing them. I would also like to know if the Government intends to keep the lands on Vancouver Island locked up for ever. I consider the Syndicate agreement has done a great injustice to Vancouver Island.

Sir JOHN A. MACDONALD. If I am able to go to British Columbia this summer and enjoy the hospitality of my hon. friend, I hope to have his assistance with the Local Legislature to settle all these disputes.

Mr. BUNSTER. You ought to have been there before.

Mr. BLAKE. I suppose if the land on Vancouver Island has been appropriated by the British Columbia Legislature, it is competent for that Legislature to undo what they have done, and to repeal the Act they have passed. I think my hon. friend is rather anxious that the Government would retain the twenty miles on each side of the line. As far as I can see, there appears to be a disposition on the part of Vancouver Island to have some sort of understanding that the land shall be kept by the Dominion, because I think

Mr. BUNSTER.

there is a slight condition attached to the retainer of that twenty miles of land, there is a trifle of railway to be built as the condition. As allusion has been made for the second time to the dispute between the Government of British Columbia and the Canadian Government on the subject of the land which we have a claim to, I would like to know the nature of that dispute. The hon. gentleman, as far as I can understand him to-night, and on a former occasion, seems to say that the question was not whether, in the measurement of the land, we should measure down the hill or up the dale, &c., in order to find where the twenty miles would reach, or whether it should be measured so as to obtain twenty miles on a level. I do not know how far he would have to go to get twenty miles on the level, or what amount of country he would have to go over. But I had supposed, from statements in the news-papers on the subject, that the dispute had assumed even more formidable proportions than that. I suppose there is a disposition on the part of the Dominion Government to have land reasonably fit for settlement, or is it the intention that all the land shall be taken within this twenty mile belt, whether it be rocky or unfit for settlement?

Sir JOHN A. MACDONALD. In the treaty unfortunately the quality of the land is not specified. It is merely stated that it should be twenty miles of good land. My contention is—and I fancy the hon. gentleman is not altogether unreasonable—that as we agree to pay a certain sum annually for that grant of land, it must be land fit for something. I do not suppose we could insist upon its being first quality, but that it should be fit either for settlement, arable land, or pasture land, or mineral land—that it should be land worth something. We should get something for the annual sum of money we have to pay for the land. That point has not yet been acceded to by the Government of British Columbia; we are still at variance upon it, but I think that that Government will be reasonable. Of course they can repeal the Act, but very probably they consider that it is a statutory title in reserve, otherwise they could properly deprive us of it without our consent.

Mr. BLAKE. As to the land in British Columbia, you say to them: "We ask for bread and you give us a stone."

Sir JOHN A. MACDONALD. Yes, I am afraid we are going to get a stone.

Mr. BUNSTER. The hon. gentleman for West Durham is mistaken in thinking that the land is rocky, as he has always represented it to be.

Mr. BLAKE. The Minister was saying it was rocky, not I.

Mr. BUNSTER. He got his information from you. For 160 miles along Vancouver Island there is not one rock. There was, some time ago, a very incorrect map drawn up of the country by the Premier's confidential agent—a part of the country where he has never been. It was represented as rocky, and the hon. member for West Durham, on the floor of this House, held that map up, saying that there was more rocks there than anything else.

Mr. MILLS. I should be sorry myself to see that map receive the public sanction, because I do not think it is reliable. I think that, however proper it may be for a private individual who has no special responsibility to issue such a map, it is hardly well that the Government should in any way make itself responsible for the circulation of a map of that kind. If the right hon. gentleman were to look at some of the maps in that atlas he would see that the representation of a corner of this country is not accurate. In looking over that map I saw that the whole North-West is represented as a fruit growing region, that there is no prairie at all. There is not moisture in the atmosphere sufficient to support fruit trees. Then again the whole country, as far as the Hudson's Bay, is represented as a rich country. I do not think it in any way promotes the interest

of this country to publish an atlas of that sort, with the Government sanction, because any scientific man who visits the country, and becomes acquainted with its features will see that it is inaccurate, and the publication of such erroneous information will only have the effect of inducing the public to distrust all the information the Government professes to give regarding the country. The hon. gentleman says we did not expend a sufficient amount on surveys. We never knew that people wanted to settle in a district that was not surveyed, and there always are ample areas surveyed for settlement. Our experience was that some of the surveys having been carried on more extensively than the exigencies of the public service demanded at an early period, it was difficult to trace the boundaries, and I have no doubt that is the case at present. The area which the hon. gentleman has had surveyed during the year ending 30th June last, is sufficient to furnish 75,000 farms of 160 acres each, and taking five to a family, sufficient to settle 376,000 people. It is the business of the department to watch how far settlement is likely to go, fixing the latitude and longitude of places, so that the surveys will not overlap each other, and then survey particular localities which are fit for settlement, and not muskogs and swamps, which are not likely to be settled for a quarter of a century. It is obvious that if the hon. gentleman goes on making the ordinary appropriations from the public revenues each year for surveying that country, in addition to \$300,000 a year from capital, the country will all have to be surveyed over again, except the small sections which are settled, and a large amount of this money will be used to no purpose.

13. The Department of Inland Revenue. .... \$32,880 00

Sir RICHARD J. CARTWRIGHT. I notice an increase here of \$2,500. Will the hon. gentleman state what additional work is required in this department. The total expenditure in this department has increased from \$27,000 in 1878 to nearly \$33,000 now. That seems to be a very much larger increase than is apparently warranted by the increased business in the department.

Mr. MOUSSEAU. The increase this year is owing to the appointment of two new clerks required by the new law to attend to the stamps on Canadian and foreign tobacco, to the appointment of a laborator, and to statutory increases. That explains the whole increase except \$100, which was an increase of the salary of one of the clerks who happened to change his class.

14. The Department of Customs ..... \$33,010 00

Mr. BOWELL explained that the increase of \$1,305 was due chiefly to statutory increases. He desired to point out that although there was an increase in the estimate over that of last year, it would be found upon comparison with the estimate of 1877-8, the last year for which his predecessor was responsible, that there was a considerable decrease. In 1877-8, there was expended for the inside service \$44,610.21, while the estimates for all purposes, for the year 1881-82, was \$42,010, which included the statutory increases for four years, amounting to \$4,080, which if deducted would show an estimate of \$37,930 as against an expenditure in 1877-8 of \$46,450. This saving was largely in the item of contingencies, for while in 1877-8 his predecessor spent for contingencies \$16,372.71, he had spent in 1879-80 but \$6,733.73. It was in this item where the extravagance in the past had taken place. He proposed to give an advance to the chief accountant, and he would scarcely be accused of political favoritism in so doing because the appointment was made by his predecessor. There was not a more valuable officer in the country than the accountant, and the proposed increase would, he believed, meet the approval of his predecessor.

Mr. BURPEE (St. John) bore testimony to the merits of the chief accountant. He was a most efficient officer, and it was the intention of the late Government, had they remained in power, to increase his salary.

15. The Department of Postmaster-General..... \$110,400 00

Sir RICHARD J. CARTWRIGHT. I desire specially to congratulate the Government on the remarkable instance of steadfast adherence to their professions, as shown in the expenditure of this department. There was not a single department in the public service which, while it was under the charge of the hon. member for Shefford (Mr. Huntington), was the cause of more unmeasured vituperation than this department, particularly with regard to the number of clerks employed in it. The Government have only raised the expenditure from \$86,000 in 1878, to \$110,400 in 1882, and have only increased the number of clerks from 93 to 111, showing only an increase of \$25,000 in the expenditure and 19 clerks in the staff. This is a most indubitable proof of the justice of the accusations which were constantly brought against the hon. member for Shefford for lack of economy in managing his department.

Mr. LANGEVIN. I will show the various increases and changes that have taken place. In the Secretary's office, there were two chief clerks who received \$4,800. That vote was divided into two, the secretary \$2,800, and the assistant secretary \$2,000. The hon. gentleman (Mr. Huntington) must remember that the secretary of the department was not here for a time, and another officer in the department had to be appointed, who was already doing the work of the chief clerk; he was appointed also assistant secretary. Four first-class clerks got an increase of \$400, four of the second-class clerks also received an increase of \$200 more. Several of the lower class clerks were promoted, and one first-class clerk received an increase of \$400. The statutory increase of \$50 was given to a number of the clerks of different ranks in the different branches of the department. In one branch six clerks were taken from the temporary and placed on the permanent staff.

Mr. HUNTINGTON. Were their places filled by other temporary clerks?

Mr. LANGEVIN. I do not think their places have been filled by temporary clerks. Very often the work of the office becomes so great that you have to take temporary clerks for a month or two. The work of this department has been increasing so constantly and largely, that additional clerks have had to be employed. The opening up of the North-West and of the vacant lands in Quebec and Ontario, as well as of British Columbia, must increase the expenses of this department. The hon. gentleman opposite has made a comparison between the expenses of 1877-78 and those estimated for the coming year. No doubt it was the best card he could play. He showed the expenses in 1877-78 were \$86,930, while those now proposed reach \$110,400, or \$23,470 more. Now \$4,550 are to pay the seven additional clerks who are not now temporary. It was thought better, as they are required, and have been long in the service, to place them on the regular list, because it was considered better the House should know the fact and vote their payment directly, and that they should be raised from the disheartening condition of temporary clerks, after perhaps, from six to ten years service, from a position in which they had no future before them and could not claim superannuation, if they became unfit for work, or claim any increase from year to year. The increase of salaries to the extent of \$10,000 for the four years represents the ordinary increase. In a large department of fifty to a hundred men, a slight increase to each makes soon a very large sum. Then you have \$8,920, which is the balance of the \$23,000—that is for additional clerks and promotions during the four years,

including salaries of two clerks transferred from Nova Scotia and New Brunswick. When I was at the head of this department, after investigation, I thought that those officers were required here. After these Provinces became part of the Confederation I thought it would be proper to suppress these officers, but after consulting with the head officers of the department I found that two of them should be brought up, and we brought them up without increasing their salaries. I may say, however, that their salaries were not put in the list of salaries in 1877-78, so that in order to make a proper comparison the amount of their salaries should be added in 1877-78. These sums make altogether \$23,400. I propose to show the necessity for those increases in another way. In 1877-78 the number of post offices was 5,378, whilst the number estimated for 1881-82 is 6,000. The number of miles of mail travelled in 1878 was 15,427,323; the estimate for 1881-82 is 17,000,000. The number of letters and post cards carried in 1878 was 50,455,000; the estimate for 1881-82 is 58,000,000. The increase in savings bank business will also be considerable, but of course we cannot estimate it. The number of money orders in 1877-78 is increased by 35 per cent. in the estimate for 1881-82. The increased postal facilities which are now required for Manitoba, the North-West Territories and British Columbia, necessarily add to the expenses of the department, and though the department is a most useful one we must expect that for many years the revenue will fall short of the expenditure.

Mr. HUNTINGTON. The charge which was specially made against the Post Office Department when hon. gentlemen opposite were in power was, that its administration was marked by—I think they called it—shameful extravagance, and it was only when hon. gentlemen themselves took office that they found there were such facts in the geography of this country as the existence of Manitoba, the North-West Territories and British Columbia. When the hon. gentleman made that discovery I think he should have apologized for the charges he used to make with regard to increased expenditure; and which increased expenditure he has just attributed to the increased postal facilities required in those Provinces. One of the songs which hon. gentlemen used to sing was that we had to increase the size of the building because we added so many employes, but we find that he uses the same space, and that he has not discharged any of the employes. The removal of officers from the Provinces of which he spoke was begun in my time, but what he should have explained was why he did not cut down the expenditure. A distinguished member of the Government in the other House published a pamphlet in which he fulminated very strong charges of extravagance and mal-administration, but we hear no word of another pamphlet on the subject, though not an abuse of which they complained has been corrected, and though they still enjoy the places which they acquired by false representations. The hon. gentleman has not taken this line, but I can assure him that is the line which the country will take when they find that, in spite of all the charges these gentlemen made, they have added to the number of the employes and the expenses of the department. If he is responsible let him assume it. I do not even undertake to say that many of the increases are unfair or improper. I know well—what the hon. gentleman did not know when he sat on this side of the House—that the country is growing, that the department requires increased facilities, and it may be that there is a fair justification of what the hon. gentleman said with respect to these expenses, though I do not believe there is with respect to the employes. The fact is that the misrepresentations to which I allude, are sins which hon. gentlemen cannot shake off, and they have not yet made any apology for them; the hon. gentleman has not made it, though I hope some one of

Mr. LANGEVIN.

his colleagues will rise, and at least justify the spirit of the discussion which they indulged in when they sat on this side of the House, and express his regret, or make an apology in words for those sins, instead of leaving it to the hon. gentleman. The hon. gentleman speaks about the extra clerks. It is, I think, a great sin of our system, that while the public requires us to show, while this Civil Government list is supposed to show to us the staff employed in the different departments, that there may be a great number of men charged in the contingencies about which the public is not supposed to know anything. When I was in the department I tried to put a stop to sinecures. Whenever there was a vacancy outside which it was possible for me to fill, I managed to send a man into it that was not needed in the department—not in order to make places for others, but in order to cut down the list so as by adding on the extra clerks to the permanent list, I might keep within the appropriation, and when I left office I had almost succeeded in bringing it to that pass. But according to the Public Accounts for this very year, I think there is some fourteen or fifteen extra clerks still in that office. What the hon. gentleman has been doing is to put provisional clerks on the list and allow others to step in their places. He permits no vacuum. There is nothing like creating a vacancy. Not all of nature's horror of a vacuum exceeds the horror of an office-seeker as soon as he hears of a vacancy. The tendency of our time was to get rid of this evil, but the tendency of the hon. gentleman is to extend it and make it worse. It is simply a means of cheating the public as to the number of the employes of the country instead of placing them fairly on the list where they can be seen. It ought to be stopped. It has not been stopped; it is growing, as far as I can see by the examination of the Public Accounts. I do not want to crow over the hon. gentlemen, I can understand that with their large majority they must at this moment feel a good deal humiliated. I do not want to add to the discomfiture which I presume this state of things has necessarily inflicted upon them; but I hope that some hon. gentleman opposite would explain how these things have come about, perhaps the hon. member for Niagara (Mr. Plumb) who, in olden times, was wont to delight the House with his speeches on this subject. I should like somebody to explain how it is that this department, so much abused under the late Administration, now occupies a worse position than it did then; why they did not remedy it, how they justify those charges which formerly they hurled against us, and which now may be fairly addressed to themselves. I want the hon. gentleman to tell the people of this country why the department was unfairly denounced by a set of men who were hungry for the places they occupy, and who enjoy those places to-day, because by the policy they adopted towards this department, and towards the general administration of the affairs of this country, deceived the people of this country, and drew from them their confidence by misrepresentations which, elsewhere than in politics, would be termed fraudulent, that they obtained their places under false pretences.

Mr. GAULT. I think that if any person can testify as to the economy that prevails in the Post Office and the Customs at Montreal, I can do so. Since I became member for Montreal West, I have had but one appointment made in the Montreal Post Office, and but two appointments in the Customs, the two latter being caused by death. I have had many applications from friends wanting appointments, but I have never been able to procure them any in those two departments.

Mr. HUNTINGTON. I notice that Mr. Wicksteed's salary is increased; from what time does that increase date?

Mr. LANGEVIN. From a year ago, by Order in Council.

Mr. BLAKE. Why was it not put in the Estimates last Session?

Mr. LANGEVIN. The hon. gentleman will find it on page fourteen of the Estimates.

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. POPE. There are no increases, in the Department of Agriculture, except the statutory increases. But there is one or two mistakes. The amount for the senior clerks should be \$3,800, and the item of \$700 in last year Estimates should be \$750.

17. The Department of Marine and Fisheries.....\$30,190 00

Sir RICHARD J. CARTWRIGHT. What is the cause of this increase?

Mr. POPE (Queen's). The only increase is statutory. Captain Grayburn, who is appointed an additional second-class clerk, had been in the office for several years; having been a sea captain, he had, for several years, been performing the duties of inspector of lights in the Province of Ontario, the regular inspector being sick, and his salary was charged to the maintenance of lights. Last year the inspector of lights died, and another inspector having been appointed, it was thought right and proper to put Captain Grayburn, who has been on the temporary list in the department for years, on the permanent list.

Mr. BLAKE. I suppose the present inspector of lights is able to discharge his duties.

Mr. POPE. I hope so.

Mr. BLAKE. Therefore, Captain Grayburn is relieved from those duties, and there is practically an excess of officers in the inside service.

Mr. POPE. Captain Grayburn was occupied during about one-third of his time in the inspection of lights, and the rest of his time he was engaged in the office. There is no increase in the number of officials in the department. A number of clerks had been taken on temporarily, some of whom were appointed permanently, and some are not now there. I think there is only one extra clerk there now.

Sir RICHARD J. CARTWRIGHT. I observe that whereas in 1878 \$25,000 was demanded for this service, \$30,190 is demanded now, being an increase of about 20 per cent. The hon. gentleman says there is only one extra clerk. I find that there are eleven marked as extra clerks in the Public Accounts of 1880.

Mr. McCUAIG. I am very familiar with the lighthouse service of this country. I knew the late inspector, and I also know Capt. Grayburn. He performs his duties in a most careful manner.

18. The Department of Public Works ..... \$30,500 00

19. The Department of Railways and Canals... 40,594 00

Sir RICHARD J. CARTWRIGHT. There is considerable difficulty in making a comparison, because formerly the two departments were combined in one. The vote for the two services combined amounts to over \$71,000 against \$48,884 in 1878, an increase of \$23,000. Thirty-two officers were required for public works when that department comprised railways and canals; now 47 clerks are required.

Mr. LANGEVIN. The explanations of the increase were given last year when the department was divided into the two departments. Each department was so large that no Minister could perform the duties of both. Therefore, Parliament made the division, and that division necessitated an increase of expenditure. The Pacific Railway matter besides required a larger number of clerks and engineers in the department. So far as the Department of Public Works is concerned, the increase of \$300 that is due entirely to the statutory increases.

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Sir RICHARD J. CARTWRIGHT. There may be force in the hon. Minister's statement that the work undertaken by the hon. member for Lambton was more than perhaps any ordinary man could do, but I do not see, bearing in mind the expense of public works, especially in connection with the canals, and the amount of railway work done in the hon. member for Lambton's time, that there is any more work to be done now than was then done—more especially under the Syndicate arrangement. There cannot be anything like the amount of work in connection with the supervision of canals that there was in the time of the hon. member for Lambton. He certainly had as much work in connection with the Canadian Pacific Railway as the Department of Railways can have at present.

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. LANGEVIN. The increase is only the natural increase by the division of the department. A French staff besides an English staff is necessary for the work with the public as well as for the office itself. In other departments the French staff need not be so large; with those two staffs and two departments the increase must necessarily be larger than elsewhere. You require two deputy heads and additional inferior officers. The late Minister (Mr. Mackenzie) as well as the present (Sir Charles Tupper) had suffered severely from the hard work of this department.

Mr. MILLS. No department in this country can compare with some of the larger departments in Great Britain for the amount of work. The work of some of the English Ministers is equal to the entire work of the whole Government of Canada. Yet the hon. gentleman says it is impossible for any Minister to perform the work of this Department of Public Works as it formerly existed. The present Ministers professed they were not to be flies on the wheel; they were men who could accomplish anything, make our soil productive, improve the climate and make the country prosperous. They also undertook to manage the department more economically than before. How have they succeeded? The First Minister by doubling the expenses of his department, and we have seen the Minister of Public Works propose a division of that department into two, and its expenses increased from less than \$50,000 to over \$71,000. There is no economy about that arrangement. No proper defence of this increase of staff and expense has been given, nor any justification of the great increase of the expenses of Government. The hon. gentleman (Mr. Langevin) says the present Minister has been almost killed with the work. Are we to understand by that statement that this department is to be sub-divided again, in order to protect the health of the Minister? My impression was that Ministers did not suffer in their departments, but suffered in this House, where they tried to kill us also by late and irregular hours.

21. Departmental contingencies .....\$139,750 00

Sir RICHARD J. CARTWRIGHT. I will be glad if the Finance Minister can keep down the contingencies to the figure named. I do not think there is any use in setting them down at \$25,000 to \$30,000 less than will really be required. That figure was largely exceeded in 1880. It is very undesirable we should find the votes for these contingencies constantly largely exceeded.

Sir LEONARD TILLEY. From calculations made we hope to keep the contingencies this year \$20,000 below the amount of last year; and it is hoped that for next year the sum asked will cover the outlay. The only doubt felt is as to the expenditure for the departments generally, which it seems difficult to control. A suggestion has been made to give the deputy heads special control in this matter, with a view to keeping down the charges for the different departments.

In answer to Mr. BLAKE,

Sir LEONARD TILLEY. We hope to keep the expenditure within \$140,000, but it may reach that amount—possibly may exceed it by \$4,000 or \$5,000.

Mr. BLAKE. How is the saving effected; why not save still more this year?

Sir LEONARD TILLEY. Because we are transferring more of the persons paid \$2 a day from the temporary to the permanent staff.

Mr. BLAKE. That is the way the money is being saved?

Sir LEONARD TILLEY. Yes.

Mr. McCUAIG. As to the charge for legal duties, I observed the other day, that exceptions were taken to the Deputy Minister of Justice, in conducting the Crown business. It was alleged then as a reason why it was justified that these sums paid for legal advice and duties would have to be paid to some one, and that money was saved by employing him. I approve of the policy of the Minister of Justice in this matter, because the Deputy Minister being a sworn officer of the Government, will be more likely to discharge the duties satisfactorily than any one else.

Mr. BLAKE. I presume that the item in the Auditor General's report to which the hon. gentleman has referred has been put in that report for the purpose of preventing what the hon. gentleman hopes will be accomplished. It is well known that in England the Auditor General is allowed to employ independent legal advice, and the suggestion which is made in the Auditor General's report is generally made for the purpose of endeavoring to assimilate his position to that of the Auditor General in England, who occupies an exceptional position, whose business it is to stand under the law with regard to appropriations, and who of necessity may sometimes stand against the Government with regard to these appropriations. I suppose it may happen that there are contingencies with regard to which it may be desired to have independent legal opinion as to the construction of Acts of Parliament, and therefore, that it is not desirable that he should be advised by the deputy of a member of the Government who are the other party to the matter.

Mr. McCUAIG. I quite understand what the hon. gentleman has said, but I find here that whereas it was stated that the highest salary paid to a Deputy Minister was \$3,200, the Deputy of the Minister of Railways and Canals is \$4,100.

Mr. BLAKE. Yes; that was a mistake.

24. Amount required to provide for contingent expenses of the High Commissioner of Canada in London .....	\$4,000 00
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Mr. BLAKE. It was very natural that a bulk sum should have been asked last year, as the arrangement was a new one and it was necessary to make proper provision, but it was said, I think, that the amount was properly an allowance. I would like to know if it is now voted simply as an allowance or an amount to be accounted for.

Sir LEONARD TILLEY. It is practically an allowance.

Mr. BLAKE. That being the case I think it would be better to call it an allowance, not accountable, rather than a contingency.

Mr. ANGLIN. I hope the hon. Minister will inform the House what our High Commissioner has been doing during the past year for the large amount of money which was voted to him. The only account of his operations which I have seen, was a small report which he made to the hon. Minister of Agriculture, showing that Mr. Annand had gone out of the Immigration office, at London, that the Commissioner had to some extent taken charge, and that the Department had been reconstructed. He also gave us

Sir LEONARD TILLEY.

some extracts from tables, prepared by the Imperial Government, and which we might, perhaps, have obtained without our troubling the High Commissioner to supply them. I remember that Sir Alexander Galt delivered a lecture as a sort of preliminary, apparently, to this Session, in which he certainly made some extraordinary statements. He said to his auditors, and through the newspapers, to all who might read, that in the North-West we had some 200,000,000 of square miles of land south of the latitude of St. Petersburg, and 100,000,000 square miles capable of producing all the cereals grown in Great Britain—in other words, 640,000,000 of acres of fertile lands in the North-West. He said besides that there was an immense extent of agricultural lands in British Columbia, while, on the other hand, we had the statement of the leader of the Government the other day that they found it difficult now to discover any lands in the mountain regions, and they are now asking the Government of British Columbia to find somewhere in that Province lands which will make up the area of the twenty miles belt. We were informed that the Commissioner would look after our commercial interests in France and elsewhere, but the hon. Ministers were unable to inform the House what had been done by the French Government and Legislature with regard to the shipping market. I did not expect that much good would result from the appointment of a High Commissioner, and I believe that so far as we can quote of what that gentleman has done his appointment has been a mistake, which the sooner we retrace the better. He is liberally paid, for, besides his salary and \$4,000 of an allowance, I think there will be found somewhere in the Estimates a further sum of \$14,000 for other expenses said to have been incurred by him. We paid the expenses of himself and family to England. The Minister of Agriculture gave us to understand, some evenings ago, that the scheme for the emigration of Irish people to the North-West was outlined by the High Commissioner. There was not great labor in that. Such a scheme would be a good one if there were any means of carrying it out. In regard to negotiations I am not aware that the Commissioner has rendered any important service. We may find from the Government by-and-by that he did communicate with the Colonial Office on certain subjects, that he had some interviews, or wrote some letters; but I am satisfied that the creation of the office was a mistake, that the appointment was a mistake, and we are spending a very large amount of public money in this way without obtaining a return to the public.

Sir JOHN A. MACDONALD. I have the misfortune to differ altogether from the hon. gentleman. I think no appointment has been made of greater importance and advantage to this country than the appointment of the High Commissioner. Every year there has been a cry through the country that Canada was visiting England, and had no means of being represented in any way or obtaining their interests advanced in case they had any reason to have intercourse with the Imperial Government or any of its departments, because the Dominion had no Minister or representative there. The hon. member for Gloucester (Mr. Anglin) has alluded to what he calls a lecture delivered by Sir Alexander Galt, the other day in England, and a most valuable lecture or address it was. The hon. gentleman sneers at the statistics given there; I think Sir Alexander Galt can afford such a sneer. Everyone who knows the long career of Sir Alexander Galt is aware that, if there was one quality for which he is remarkable more than another, it was his aptitude and correctness in statistics. He found on taking office that the emigration department in England was actually valueless. Mr. Annand, an able man in some ways, I believe, sat there and drew his salary, and nobody entered the office or applied to him for information with respect to immigration to Canada. The moment that Sir

A. T. Galt was placed in the position, the office was crowded. He has a faculty of attracting people, he has a thorough knowledge of this country and its resources, and he has been of the very greatest assistance in that respect. He is the head of the Emigration Department for England, Ireland and Scotland, and we hope to have an emigration from Germany, the direction of which will be in his hands. As representing the Canadian Government in a quasi-diplomatic capacity, Sir A. T. Galt, according to the hon. member for Gloucester, has not been a success as a diplomat. Why, Sir Alex. Galt has visited France and Spain. The hon. member sneers and says he has not heard the High Commissioner had accomplished anything in France. When Sir Alex. Galt went there first the Canadian Government were within an ace of obtaining an important result. If it had not been for a delay in the London Foreign Office of forty-eight hours, we would have succeeded in obtaining a reduction of duty on Canadian vessels of from forty francs to two francs a ton, but unfortunately the Government of Austria gave notice in the meantime to all European nations that they withdrew from all their commercial treaties and at once prevented France, in consequence of the favored nation clause in several treaties, going on with the negotiations for a time. And so by an accident over which Sir Alexander Galt had no control the arrangement which was all but completed was thrown over. Since that time England and France—as the hon. gentleman ought to know if he does not know—have been in constant negotiation for the renewal of the old commercial treaty and the re-arrangement of the terms on a more satisfactory basis, especially to France. Those negotiations are now proceeding, and Sir Alexander Galt has just ascertained from Her Majesty's Government that when representatives should meet for the purpose of settling the final terms of the treaty he would be present representing Canada, and as a portion of the English representation. So in the same way with respect to Spain. Sir Alexander Galt visited that country only with the idea, under instructions from the Canadian Government, of endeavoring to open up trade between Canada and Cuba and Porto Rico, and to make a sort of reciprocity treaty between the Dominion and the Spanish West India Islands. He was ably assisted by Mr. West, who was the British Ambassador at Madrid, and the Spanish Minister at that day was so impressed with the importance of the subject, and the representations made by Sir Alexander Galt, that they asked if Canada would not widen the scope of the negotiations, and enter into negotiations as well for trade between Canada and Spain, as between Canada and the Spanish West Indies. They entered into negotiations, but a change of Government occurred, which, as the hon. member for Gloucester ought to know, and I suppose does know, looks like a *pronunciamento*—a breaking up of everything like business for a considerable time. The other day Signor Canovas, the Prime Minister, who was strongly in favor of entering into a commercial arrangement between Canada and Spain, was removed very suddenly, and we have since received information that until public affairs had re-shaped themselves under Sagasta and Campo, the leaders of the present Government, it would be useless to attempt to proceed further. But Sir Alexander Galt is in London, under instructions, and ready, with the assistance of Her Majesty's Government, to proceed with completing negotiations for a treaty with either France or Spain. He is there, and it is right he should be there. I can assure the House, from personal knowledge, that Her Majesty's Government, at all events, attach the greatest importance to the appointment of a representative of Canada in the capacity Sir Alexander Galt now occupies. I think that some hon. gentlemen opposite will agree with me, that if there is to be an officer at all of that kind, there could not be a more efficient or able man than Sir A. T. Galt. Besides that, it is the intention of

the Government—and my hon. friend, the Finance Minister will speak more specifically upon that point—that as fast as the old standing arrangement between the financial agency of Canada in London and this Government can be re-adjusted, that the enormous expenses we have paid hitherto in the shape of commissions shall be saved, for Canada is strong enough and her credit is good enough to negotiate her own money matters without paying the enormous commissions that *ex necessitate* every Government has been obliged to pay for so many years, from £10,000 to £40,000. I believe the credit of Canada is good enough to enter into the financial market and to make her own loans without being mulcted in those tremendous charges. If there has ever been an appointment that the Government ought to get credit for, it is the appointment of a High Commissioner. Instead of throwing away £1,000 sterling upon an Agent General of Emigration, as was done by a previous Government, we have, by only doubling that sum, a representative in England, an Ambassador, a Minister able and authorized to negotiate commercial treaties for Canada whenever there is need, and to look after vast and increasing questions of emigration, and all this for the moderate salary that Parliament has chosen to vote.

Mr. BLAKE. The hon. gentleman says that he demands credit for the Government for this appointment. But the hon. gentleman is unreasonable; he wants a great deal of credit, but he wants a great deal of cash too.

Sir JOHN A. MACDONALD. Very little cash.

Mr. BLAKE. The hon. gentleman told us last year, having already made this appointment and sent his High Commissioner home, that he was going to save a great deal of money by this, that he was going to save all these commissions and re-organize the whole affair. But the year has passed, the Public Accounts and the Estimates for the next year are before us, and I do not find any alteration in the scale of remuneration for the financial agent. We do not find that the hon. gentleman expects in the next year to make, as far as I can judge from these Estimates, a large saving. They are pretty much on the same scale, unless, indeed, these commissions are to be paid to Sir A. T. Galt instead of to the financial agent. So that the saving is still in the future, while we find the expenditure in the Estimates. The hon. gentleman is correct in saying that but for a series of unhappy accidents, but for the unfortunate inaction of the Foreign Office and the unfortunate inactivity of the Austrian Minister, we would have had a treaty with Austria; but for the change of government in Spain and the non-arrival of the happy moment since his Spanish treaty, we should have derived great advantage from that quarter. Here are some of the affairs with which his appointment has been connected. We have evidence certainly of his appointment, and we find him in the Public Accounts, in the large sums which have been paid for this special mission last year and the year before, and from which, as far as I can see, there has not been one shillings worth of profit to this country as yet. That is all in the future, but the expenditure is here to be paid off. The hon. gentleman has paid a high compliment to the lecture which Sir A. T. Galt lately delivered, and particularly to the accuracy of his statements of facts with reference to this country. I am sure the hon. member for Monck (Mr. McCallum) will be delighted to know that this lecture is so accurate. I am sure the hon. members for the city of Montreal, that every body interested in canal system between Montreal and Lake Erie, will be delighted to know that Sir A. T. Galt said on that occasion:

“At Montreal the canal system commences to overcome the several rapids, and consists of, in all, 41 miles, with locks 200 feet long by 45 feet wide, and passing vessels drawing 10 feet of water. Lake Ontario is then reached; and, to surmount the Falls of Niagara, the Welland Canal has been built 28 miles, having at present locks 150 feet by 26 feet wide, with 10 feet of water. These canals being insufficient, new works were

commenced five years ago and will be probably completed within two years, thereby a uniform enlargement of the whole system will be established to locks 270 feet, by 45 feet, with a depth of 14 feet, allowing the passage from Lake Erie to the Ocean, *via* Montreal, of vessels of 1,500 tons."

Sir LEONARD TILLEY. It has been intimated that the arrangements which were about to be completed by the 1st of January, by which all the business transacted by our agent at London was to be transferred to our High Commissioner, have not yet been affected. Difficulties have arisen between the agent and the Government, as to the terms of the contract that was entered into. That matter is at present under negotiation, and I hope before the Session closes, to be able to state exactly how the matter stands. The hon. member for West Durham says we have the expenditure but we have not a shilling to show on the other side of the account. Let me say that I can show something on the other side of the account, though I have not been able to transfer to him yet all the business upon which we hoped to save a considerable sum of money. During the last year we have had struck at the mint in England \$650,000 in silver. The negotiations and arrangements were carried on entirely through our High Commissioner, but had they been placed in the hands of any other person one per cent would have been a low figure indeed to have paid for the transaction of the business, the shipment, and everything connected with it. On this item alone there would be a saving of \$6,500. Then the expenditure in the Emigration Department shows a very large reduction during the year, but it does not include the salary of the High Commissioner, who acts as the Agent for the Agricultural Department. If we allow \$4,000 for that we have a saving on both items of \$10,500. Then the expenses in connection with the purchase and shipment of the cable for the St. Lawrence were something like £30,000 sterling. All that was transacted by the High Commissioner; no commissions were paid to any one for the transaction of that business. If you allow two per cent. for that operation you have another saving of \$1,000, which, with the other two items, would more than cover the \$14,000 expended during the year, to say nothing of the other services he has rendered. So that although we have not yet been able to transfer to our High Commissioner certain duties that are performed by our agent at the present time, during the current year there will have been saved in these operations alone a sum equivalent to his salary and the contingent expenses that have been referred to. I am sure that the hon. member for West Durham will be glad to know that there is a shilling, that there is a pound, that there is a certain sum of money saved as compensation for the \$14,000 expended.

Sir RICHARD J. CARTWRIGHT. The Minister of Finance does not mean the House to understand that this charge of \$6,500 was paid formerly for the silver obtained from the mint.

Sir LEONARD TILLEY. I think it will amount to that. One per cent. would be a low commission for transacting the whole business.

Sir RICHARD J. CARTWRIGHT. A business of that kind is not a formidable business. If the hon. Minister speaks from knowledge, of course I stand corrected. I do not think that on former occasions we paid \$500 for the business connected with the coining of \$500,000 of silver.

Sir LEONARD TILLEY. I think it amounts to more.

Sir RICHARD J. CARTWRIGHT. That is not my recollection. Of course there are charges which Sir A. T. Galt could not avoid incurring for the transmission from that side to this, but I do not think one per cent. was charged for the work on the former occasion. I should think that two per cent. would be an extremely high charge to have paid for conveying the £30,000 that were paid for the cable. I do not think a charge like that could have been

Mr. BLAKE,

made by any gentleman that the Department would have required to employ.

Sir LEONARD TILLEY. We pay two and a half per cent. to our commission agents.

Sir RICHARD J. CARTWRIGHT. Not for work of that kind.

Mr. BLAKE. Would the hon. gentleman say what was the mode in which silver was ordered from the mint before?

Sir LEONARD TILLEY. It was ordered by correspondence—through Sir John Rose.

Mr. BLAKE. And does he say that Sir John Rose charged that?

Sir LEONARD TILLEY. I think it cost one per cent.

Mr. BLAKE. If it did, it must have been because he employed someone. He was acting as our confidential agent, and I apprehend that he received an annual *honorarium*; and I should be sorry to learn that Sir John Rose received one per cent. for the silver he obtained for the Government.

Sir LEONARD TILLEY. No; he did not receive one per cent.

Mr. WILLIAMS. The hon. leader of the Government has mentioned how the appointment of Sir Alexander Galt was appreciated by the colonial authorities at home. I chanced last year to be present at a banquet at which Lord Kimberley, Secretary of Colonial Affairs, was present; and I may read an extract from the speech he delivered on that occasion, as reported in the *Times* of July 23rd:

"The Earl of Kimberley said their meeting on that occasion, though a casual one, might be regarded as indicative of the strong bond of union which subsisted, and he hoped long would subsist, between Canada and England. The Canadians had, in sending Sir Alexander Galt to this country, taken a step which he looked upon as very valuable, and one which was likely to promote harmonious relations between Canada and England, and for this reason: what was required was that the interests of Canada should be thoroughly represented at headquarters, and that the Home Government should have every opportunity of understanding what it was they required. Such a step was one which marked an epoch in the relations of the Dominion and this country, and what they had to look forward to was a close and intimate alliance between the two."

Mr. BLAKE. I am glad we have had an after-dinner speech quoted as a testimony to the efficiency of an officer. May I ask the hon. Finance Minister, in reference to the item of the cable expense, whether Mr. Gisborne was not across for the Government in connection with the purchase of the silver.

Sir LEONARD TILLEY. He was, and Sir Alexander Galt co-operated with him.

Mr. BLAKE. Oh, I see; Mr. Gisborne was sent across in the employment of this Government, and Sir Alexander Galt helped him.

Mr. ANGLIN. I think the amount earned by Sir Alex. Galt in this transaction was not a very large sum. It is incredible that any respectable agent should charge one per cent. for taking the trouble of ordering silver; the one per cent. must have been paid by Sir Alex. Galt to some one else. The hon. Premier spoke of Sir Alex. Galt's services in France and Spain, as though they were rendered since he became Commissioner. They were rendered on a previous occasion, and we paid a large sum for the services he was supposed to render. The hon. Premier states that if Sir Alex. Galt had not been unfortunately delayed in some way or other, he might have arrived in Paris, and obtained some diminution in the duties on our ships.

Sir JOHN A. MACDONALD. I did not say that. He was in Paris and had made an arrangement, and was waiting for official authority from London. Before that arrived, notice arrived from Austria, and the negotiations dropped.

Mr. ANGLIN. If so, it was unfortunate. The hon. Premier also stated that Sir Alexander Galt created so

favorable an impression in Spain that he might have obtained very important modifications in our trade relations with the Spanish West Indies but for the unfortunate fact that there was a change of Government, which was equivalent, as is usual in Spain, to a *pronunciamento*. The change of Government has only taken place within a few weeks. Nearly a year elapsed between Sir Alex. Galt's visit and the resignation of the Canovas Government, and during that time a Session of the Cortes was held, and there was an opportunity for us to obtain a change in our trade relations with Spain. There is this ground of hope, that the Government in power in Spain being now a Liberal, free-trade Government, will be disposed to deal fairly with their West Indian possessions, and perhaps be willing to trade with us on more favorable terms. The after-dinner speech of Earl Kimberley was such a speech as that gentleman would feel it his duty on an occasion like that to deliver. Feeling bound to be complimentary, he could hardly have said less than he did.

25. Administration of Justice ..... \$37,860 00

Mr. BLAKE. Has the third Stipendiary Magistrate for the North-West been appointed?

Mr. McDONALD (Pictou). The three Stipendiary Magistrates are Col. Macleod, who was formerly in the Mounted Police, who is stationed at Fort Macleod; Mr. Robertson, who is stationed at Battleford; and Mr. Ryan, who is stationed at Prince Albert.

Mr. McCUAIG. I believe the charges for contingencies, &c., of the Supreme Court could be reduced, and the general business advanced, by having one efficient officer instead of the two clerks now engaged there. Great delays have been experienced in getting decisions of the Supreme Court, even in cases involving large sums, which I think is one reason why that Court is so unpopular. I am informed that if the Judges were allowed competent officers, to put the work before them properly, they would get through with their duties more quickly. Therefore, I hope the hon. Minister of Justice will replace the two clerks by one good officer.

Mr. McDONALD (Pictou). The charge of travelling expenses is, by Judge Fournier, \$30. With regard to the charge of delays as regards Supreme Court judgments, I am able to give the strongest possible testimony to the efficiency of the Court, at any rate so far as the particular instance referred to is concerned. I am told that at this moment there is not a single judgment of the Court pending in any case, except in some argued during the present term, and that judgment in many cases argued this term have been delivered. I doubt if the same can be said of any other Court in the Dominion.

Mr. BLAKE. With regard to the item of \$600 for the salary of the Judge of the Maritime Court, I believe it would be well to reduce it to, say, \$100. The item has not been required, and its submission again is really a temptation to incur unnecessary expenditure to this amount.

Mr. McDONALD (Pictou). I will accept the hon. gentlemen's suggestion.

Mr. McCUAIG. This Court was established to deal with the very important maritime interests of this country, including valuable steamboat and sailing vessel property; and I think a Judge of that Court is as much entitled to compensation for his services as the County Court Judges, as he deals with much greater interests. The Maritime Court Judge should receive fair compensation by a fixed annual salary charged to the country.

Mr. PATTERSON (Essex). I am glad my friend from Prince Edward County has been converted to this view of the case, as provision has not been made for the application

of the fees of the Maritime Court to the payment of the salaries of the Surrogate Judges in that Court. The Maritime Court Surrogate Judge, who has more important duties to perform than any County Court Judge, should be adequately paid. The Judge in my district has had a great many cases before him, and does not get any salary. The Government ought to attend to his just claims. Although there is statutory provision, as an hon. member remarks, for his payment, the Government have not taken action to get the Maritime Court Surrogate Judge his salary. There are 60 cases entered in the Essex Maritime Court, and the Judge's time is very much taken up in trying such cases, some of which involve large amounts, as well as points of law of very great importance.

Mr. McDONALD (Pictou). There is a fee fund, provided by Statute, which the Governor in Council may pay to the Surrogate Judges. No payment has yet been made. I believe some \$700 or \$800 is available for that fund, and I quite understand that the case mentioned by the member for Essex may be worthy of consideration. There is also a great deal in what the member for Prince Edward County says, and I think the time will come when the question of the duties of those Surrogate Judges and their proper compensation will be considered. I trust that before next Session I shall have such information on the subject as to enable me to suggest to the House some feasible and, I hope, acceptable mode of compensating those Judges for their services.

Mr. BLAKE. I am very glad to hear the statements of the Minister of Justice. When I introduced the measure establishing the Maritime Court, I stated my own very great objection to even a modified system of payment by fees which I had felt obliged to ask the House to incorporate with the Bill. It was then certainly stated to the House that the arrangement was intended to be temporary only, and that at the earliest moment that it was possible to lay before the House some evidence as to what the proper rate of remuneration would be, they would be asked to compensate those Judges by an appropriate salary. There may be points at which it is necessary to have a Surrogate Judge even where only one or two cases may come before him in a year; and there may be places in which, as stated by the hon. member for Essex, his duties may be heavy. I think the hon. gentleman might find a way of removing this anomaly and of distributing the fees fairly until the time arrives when he may distribute the money by another mode.

Mr. McDONALD (Pictou). The hon. gentleman will understand the reason why I have not done so, when I say that the matter has only recently been brought to my attention.

Mr. McCUAIG. I have no hesitation in saying from my place in Parliament that the gentleman who is at the head of this Court in Toronto is objectionable to the members of the Ontario Bar, as one who is not fit to discharge the duties of his position. As very important interests are represented before that Court, and as the Judge is paid a good salary, it is important that the gentleman at the head of the Court should command the respect of the profession and the public.

Mr. McCALLUM. I know my hon. friend from Prince Edward County is opposed to this Court, but it is one which gives general satisfaction in the Province of Ontario. There is one change, however, which I should like to see in the rules of this Court. I think that, considering the important interests and the large amounts which are often involved in suits before that Court, and considering also that the only appeal is to the Supreme Court, the evidence should be taken by shorthand reporters, instead of in the shape of the Judge's notes.

Mr. WELDON. With regard to the Registrar and Marshal of the Vice-Admiralty Court of Quebec, I should like to know how these officers are paid, for I think that in none of the other Provinces do they get fees and allowances. I should like also to direct attention to the very unsatisfactory manner in which rooms are provided for the sitting of the Court in the Province.

Mr. McDONALD (Pictou). The allowances and fees referred to by the hon. gentleman have been inherited by these gentlemen by some arrangement or compact made with the old Province of Quebec prior to Confederation, and which arrangement, whatever it is, has been continued. But for the existence of such a compact I should certainly decline to continue the appropriation in the Estimates.

Mr. BLAKE. I do not think there is any compact. When I occupied the hon. gentleman's position, I tried to find out the origin of the system, and my conclusion was that these payments should not be continued. Not wishing, however, to discontinue them summarily, I gave notice to them that the item would be discontinued in the Estimates. Unfortunately, however, the Government disappeared and the item reappeared.

Mr. McDONALD (Pictou). I shall endeavor to find out the basis of the payment.

127. Maintenance and repairs of steamers  
*Napoleon III, Newfield, Iruid, Glendon,*  
*Sir James Douglas and Northern Light....* \$120,000 00

In answer to Mr. ANGLIN,

Mr. POPE (Queen's). I still hold the same opinions with respect to the usefulness of the *Northern Light* for winter service in Northumberland Straits. With a north-east wind the straits become filled with heavy ice, and at such times it is not possible for a vessel to cross. The *Northern Light* works her way very well through drift ice; but when the ice is fixed she cannot break her way through it. The vessel has, however, done better work this winter and part of last winter than previously. She has been a great convenience in carrying freight to the Island. I consider that the light draught steamers from Quebec to Lewis are of a better model.

128. Amount required for the purchase and maintenance of a steamer to replace the *Lady Head* \$55,000 00

Mr. POPE (Queen's). The sum of \$55,000 was voted last year for the purchase and maintenance of a steamer to take the place of the *Lady Head*, which was lost. A vessel has been secured for that service, and I hope it will prove a good and useful one. It is of 380 gross tonnage and 220 tons nett; will steam 9 knots; carry 400 tons of cargo, besides what is in the bunkers, and will consume five tons of coal per day, while the *Napoleon* consumes twenty-five tons, and carries no more cargo. The vessel cost £7,500, and is of the highest character, being classed A1 for ten years.

Mr. YEO. Would the Minister state what instructions the captains received, and what conveniences were supplied to the vessel, so that passengers might be safely landed. On one occasion, during the winter, the passengers had to leave the vessel when she was twenty miles from land, and had been twenty-six hours out, and before they reached a place of shelter the passengers suffered severe privations, some of them being badly frozen. It seems to me that something has been badly managed, that the captain had not full instructions, or that something else was wrong. It is very important that the safety of passengers travelling in such a way should be secured. They are liable to get stuck in the ice for a month. It is a great blunder on the part of the Government that the thing was not managed better, and I hope it will not happen again. Several complaints have come to me from the Island, which I now bring under the notice of the Government.

Mr. McCALLUM.

Mr. ANGLIN. I desire to call the attention of the Government to the importance of modifying the contract with the steamer plying between Campbellton and Gaspé, so that she should call at least once a week at some port in the lower part of Gloucester. There is a large population in that county, from fifty to seventy miles removed from the nearest railway station, and they feel much indeed the want of steam communication. I made efforts some years ago to obtain steam communication for them, but the boat put upon the route was unable to perform the service. The people of Gloucester require accommodation quite as much as the people on the north side. An arrangement could be made, I believe, at no great additional cost, which would afford accommodation to 10,000 or 12,000 people, who are nearly all engaged in the fisheries, and would consequently afford a good deal of traffic:

134. Subsidy to line of steamers between  
Canada and West Indies and Brazil.....\$50,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Sir JOHN A. MACDONALD. The Brazilian Government have formally granted \$50,000 for this subsidy. The line will commence to run in the month of May from the St. Lawrence to Rio Janeiro, touching at St. Thomas and Bahia. Trips will be made once a month. There are three ships in the line, each of 1,800 tons.

137. Subsidy to line of steamers to run fortnightly between France and Quebec, provided the French Government appropriate \$100,000 for the same service..... \$50,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Sir JOHN A. MACDONALD. The French Government have not yet formally consented to give the subsidy, but an intimation has been given, officious rather than official, that they will vote this sum of money if we make this vote. We only ask for this vote on condition that the French Government give twice the amount. The line will continue all the year round. The main Canadian port will be Quebec.

Mr. MILLS. We ought to have had a statement showing the character of the trade and its extent.

Sir JOHN A. MACDONALD. I rather fancy it is for the purpose of initiating a trade than carrying out the present trade.

Sir RICHARD J. CARTWRIGHT. For what length of time are these subsidies to be granted?

Sir JOHN A. MACDONALD. For three years. This vote is also in *nubibus* yet. The only information we have got is that the Government of France would vote twice the sum we did.

Mr. BLAKE. I apprehend that a contract extending over a term of years should be sanctioned by the House by resolutions and a Bill.

138. Subsidy to line of steamers to run alternately between Liverpool and St. John, N.B., and Liverpool and Halifax, N.S. .... \$25,000 00

Sir RICHARD J. CARTWRIGHT. Are these steamers weekly or fortnightly?

Sir LEONARD TILLEY. Fortnightly—once a month from St. John, and once a month from Halifax.

Mr. BURPEE (Sunbury). Have any offers been made yet?

Sir LEONARD TILLEY. No; notice has been given, asking for tenders. The steamers cannot commence before July.

140. For purchase of life-boats, life-preservers, and rewards for saving life..... \$3,000 00

Mr. ANGLIN. Will the hon. Minister state how this money is spent,

Mr. POPE (Queen's). The report will show that. Of course the Government always recognize, either by a testimonial or by a money consideration, the services of those who save life or property. But this vote is more particularly for supplying life-boats where they may be most needed, both on the lakes and on the sea-coast, on condition that the people in the different neighborhoods man them.

Mr. McCUAIG. The county I represent is surrounded on one side by Lake Ontario and the Bay of Quinté on the other, and I myself have witnessed most appalling spectacles there arising from ship-wrecks on the coast. Last season I saw several men belonging to two wrecks, perish in the presence of several hundreds of people standing powerless on shore to render effectual assistance. The disastrous loss of life and property last fall, in the vicinity of Concecon and the Port of Wellington, on Lake Ontario, was brought under the consideration of the hon. the Minister of Marine and the Commissioner of Fisheries by Mr. Redmond, the efficient Fishery Inspector for the County of Prince Edward; and I am pleased to learn, as a result of that timely and prompt report of this popular officer, a lifeboat is to be placed, on the opening of navigation, at South Bay Point, in care of the light-house keeper, for the light-house, now in course of construction in that vicinity, and I have every hope a lifeboat station will be moved, at the opening, into Miller's Bay and at the Port of Wellington. In connection with this commendable policy of the Government, I hope it may be supplemented by an appropriation of money from which a yearly sum to each of the crew of this lifeboat shall be awarded, which cannot fail to secure a proper organization of men living in the vicinity, volunteers from the ranks of our hardy fishermen engaged in the fisheries surrounding South Bay Point, and officered by men of their own profession, and of their selection, annually. Such a policy will be a just recognition by the Government of the brave and meritorious marine acts of the fishermen of my native county, in saving valuable lives and property at the peril of their own, and encourage them in the continued performance of a noble and praiseworthy duty.

Mr. McCALLUM. I should be glad if the finances of this country were in a condition to enable us to have an efficient life-service in this country. My experience is that lifeboats with voluntary crews are of no use whatever. Such crews only drown themselves when they attempt to save others. In the United States there is a very efficient service of life-saving stations, which costs a large amount of money, and is at the service of vessels of every nationality. I notice that there is a Bill before Congress this year, to establish thirty-five additional life-saving stations on the lake and Atlantic coasts. I trust that the hon. Minister of Marine and the Government will take this into consideration.

Mr. DAWSON. I have often, within the last few years drawn the attention of the Department of Marine and Fisheries to the advantage that would accrue from having a steam tug of some kind stationed at Sault Ste. Marie or some convenient place. There is an immense extent of inland navigation between Collingwood and Sarnia on the one side and at the head of Lake Superior, no less than 700 or 800 miles, where we have not a vessel stationed which we could send out in case of a wreck or any accident occurring. I simply draw the attention of the Government to the matter. For life-saving purposes a tug would be of great assistance, placed at some convenient station on these inland lakes, and the Sault Ste. Marie would be a very convenient point.

143. Montreal Water Police and River Police, Quebec \$35,500 00

Sir RICHARD J. CARTWRIGHT. It is objectionable to have the two items combined. How much is spent on each? The amount of both is about equal to that of former

years, and the division then was \$14,000, Montreal, and \$21,000, Quebec.

Mr. POPE (Queen's, P.E.I.) It is the same to-day. The two items were combined because it saved a great deal of difficulty in the allotment of expenditure on this service.

Mr. ANGLIN. I protest against our paying for the police in Montreal and Quebec, when Halifax and St. John and other ports are not similarly provided with a police force.

Resolutions ordered to be reported.

House adjourned at 1:20 o'clock, a.m.

## HOUSE OF COMMONS,

WEDNESDAY, 9th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### EXPLORATION OF HUDSON'S BAY.

Mr. SCHULTZ enquired, Whether it is the intention of the Government to continue this year their exploration of Hudson's Bay?

Sir JOHN A. MACDONALD. I am afraid the Government will require the services of Professor Bell here this year; but, if possible, we will endeavor to continue the geological survey.

### LAKE ST. PETER DEBT.

Mr. COURSOL enquired, Is it the intention of the Government to assume the payment of the Lake St. Peter debt, as recommended by the Harbor Commissioners of Montreal?

Mr. LANGEVIN. Notice was given yesterday by the hon. Minister of Finance for to-morrow on this subject; and when that motion is discussed by the hon. Minister, I do not doubt he will give such explanations as will prove satisfactory to the hon. member.

### SUPPLY.

House again resolved itself into Committee of Supply.

72. Flour shed, St. John, deep water terminus .....\$8,000 00

In answer to Mr. WELDON,

Mr. POPE (Compton). This is for the purpose of building a shed on the Intercolonial wharf at St. John, for the reception of flour. The vote of \$15,000, on construction account, I am informed, is to cover Mr. Shanly's salary and the expenses of his office.

Mr. MACKENZIE. Will the hon. gentleman tell the Committee what Mr. Shanly's functions are? Is he a temporary officer, employed to undertake the settlement of certain accounts; and if so, what are his functions? We do not know his position, the Order in Council appointing him is not before the Committee, and yet we are asked to vote the money to pay him and his friends.

Mr. POPE. The hon. gentleman knows that the law provides that there shall be a chief engineer, upon whose certificate the balances of the settlement may be made. Mr. Shanly was appointed Chief Engineer, and is now engaged in reporting on the several matters brought before him respecting the Intercolonial Railway.

Mr. MACKENZIE. Has he now charge of the road in its revenue capacity? Is he not Engineer-in-Chief for the entire work of the road?

Mr. POPE. No.

Mr. MACKENZIE. Then who has charge of the road as engineer?

Mr. POPE. Mr. Schreiber.

Mr. MACKENZIE. Mr. Schreiber is not down there, and it is impossible for him to do the work of the road up here.

Mr. POPE. Mr. Archibald is down there.

Mr. MACKENZIE. Then Mr. Archibald is Chief Engineer.

Mr. POPE. No.

Mr. MACKENZIE. Then what is Mr. Archibald's title?

Mr. POPE. He is resident engineer, and the hon. gentleman had both.

Mr. MACKENZIE. It seems that Mr. Shanly is appointed to do a specific work, and we want to know what that specific work is. If it is a portion of his duties to do what was done by Mr. Keefer when the Dominion was defrauded—robbed—of over \$100,000 in consequence of the bungling of the Railway Department, we want to know it. We find cases that were before the Courts referred to a single arbitrator for decision, and for anything this House or the country knows, Mr. Frank Shanly is entrusted with similar powers. Before the hon. gentleman can ask us for money to pay his salary, he ought to tell us what he is instructed to do. The Minister is under the impression that no account could be settled without the certificate of Mr. Shanly or Mr. Fleming as Chief Engineer. The hon. gentleman is mistaken. Mr. Fleming ceased to be Chief Engineer of the Intercolonial Railway in 1874. Mr. Schreiber was Chief Engineer from that time, and Mr. Fleming devoted himself to the work of the Pacific Railway. We have had no officer similar to Mr. Shanly, and before I agree to this vote I want to know what his instructions are.

Mr. POPE. I thought I explained to the hon. gentleman what the duties of Mr. Shanly were. There is one thing certain, the hon. gentleman is mistaken as to the duties of the Chief Engineer; nothing could be paid except on his certificate, and it was necessary that somebody should be appointed for that purpose. With reference to Mr. Shanly's qualifications, I do not believe anybody in this House or the country, except my hon. friend opposite, will say that Mr. Shanly is not competent to examine and report in the way the law requires. I am not ashamed to say that we appointed Mr. Shanly because we had confidence in his ability to do that work.

Mr. MACKENZIE. I did not say one word against Mr. Frank Shanly as an engineer or agent. The hon. gentleman says nothing could be paid in settlement of claims without the certificate of the Chief Engineer. I would like him to produce the certificate of the Chief Engineer in the Oakes-Murray settlement. Here was a payment of \$100,000 made without a certificate of the Chief Engineer, but simply on the order, apparently, of Mr. Keefer who was sole arbitrator in the matter. I want to know whether Mr. Shanly is in the same position as Mr. Keefer occupied then in relation to claims not settled. I have pointed out one case in which there was no such thing as a certificate.

Sir JOHN A. MACDONALD. That case stands in quite a different position from the general run of cases which came before Mr. Shanly. The hon. gentleman must remember that in the case he mentioned, the party brought an action in the Court of Exchequer and that in due course it was to be referred to the registrar of that Court. It was obvious that that officer knew nothing about railway matters, and in the exercise of a wise discretion, Mr. Keefer, an experienced engineer, was appointed instead of the

Mr. MACKENZIE.

registrar, to go down and report upon the case just as the latter would have had to do. The hon. gentleman knows that all the railway contracts provide that money must be paid on the certificate of the Chief Engineer.

Mr. MACKENZIE. Or the ordinary estimates.

Sir JOHN A. MACDONALD. All the money to be paid under a contract, must be paid on the certificate of the Chief Engineer.

Mr. MACKENZIE. No.

Sir JOHN A. MACDONALD. Mr. Fleming ceased to be Chief Engineer and could not certify. Mr. Schreiber was appointed Chief Engineer, but as he knew nothing of what was done beforehand, he could not well certify to Mr. Fleming's work. It was of great importance to have all these matters settled, and Mr. Shanly was specially appointed as a person in no way connected with the road or the contractors, and who had never been on the spot before in any special capacity, to go down and act in the capacity of Chief Engineer. My hon. friend asks how could Mr. Schreiber be the Chief Engineer of the Intercolonial and at the same time be occupied on the Pacific Railway. Mr. Schreiber is Chief Engineer of the Intercolonial Railway. That is his permanent appointment. In consequence of his proved skill in expediting work, it was deemed by the Government of the greatest importance that the unfinished portion of the Canadian Pacific Railway under contract should be superintended by him, and he was sent there *pro tem* specially for the purpose of pressing on all the work under way at Red River. While absent, Mr. Archibald filled his place on the Intercolonial.

Mr. MACKENZIE. That is an explanation never before given to the public. It was certainly understood by me, and I believe by the public generally, that Mr. Schreiber was Chief Engineer of the Canadian Pacific Railway since Mr. Fleming was dismissed or left. I am not able to ascertain whether he was dismissed or left of his own accord. The hon. gentleman has not correctly stated the position of the Oakes-Murray matter that was before the Supreme Court. An interlocutory judgment was given by Chief Justice Fournier, and he committed to the registrar the duty of taking certain evidence. It was the duty of the registrar to have associates with him to ascertain what evidence was required, but at this stage of the proceeding the Government took the case out of the hands of the registrar and the Court, and gave it to Mr. Keefer to decide upon, without taking evidence at all from our own engineers. It is remarkable that in my time as Minister, this very claim was up before the Government. We had Mr. Fleming's and Mr. Brydges's report on it, and the very strongest possible reasons were given against the claims of these contractors. I forget precisely what amount was coming to them, but it was but a small trifle at any rate. My present impression is that they were overpaid. Mr. Keefer never called Mr. Schreiber or Mr. Fleming, who knew all about the contract, or Mr. Brydges, who was acting both as Commissioner and General Superintendent of the road; and, without the evidence of any of those parties, Mr. Keefer awarded a sum of over \$100,000, and the Government paid it. I look upon the transaction as one of the most scandalous that has ever taken place within my knowledge. I charge no corruption against anyone, but simply state it is an exhibition of incapacity that has no parallel. What I fear in connection with the new appointment of Mr. Shanly is, that if entrusted with similar powers, he would exercise similar authority to that exercised by Mr. Keefer in the case mentioned. Other cases may have been taken out of the Court; and other cases may have been revived that were completely settled. Some, I know, that were completely settled have been revived, if the newspapers are

correct—I do not know whether they are or not. I have asked for the information but have not got it. Surely it is most important to know whether the claims for millions that are made by certain contractors, are to be decided by Mr. Shanly, or whether cases that were closed by judicial or other proceedings are to be re-opened. I am sure the hon. Minister will see I am asking what is reasonable when I ask for this information.

Sir JOHN A. MACDONALD. The hon. gentleman went out of the range of his discretion, and I think of his duty, when asking for this information, to use such strong language. How could it be a most scandalous thing for us to appoint an engineer of high standing, of certain honor, and perfectly disinterested, to examine into and report on a claim which the hon. gentleman says the registrar would have had to get an assessor to examine into? The registrar would have to get such a man as Mr. Shanly to act as assessor, because the registrar himself knows nothing about such matters. If there was an error it was simply in not having gone through the form of appointing Mr. Keefer as assessor. Mr. Keefer would then have handed his report to the registrar, who would have handed it to Judge Fournier, who would have ordered payment to be made. As to Mr. Shanly's duty, it is easily understood. Mr. Fleming has ceased to be Chief Engineer of the Intercolonial; Mr. Schreiber never was Chief Engineer of the Intercolonial, but Chief Engineer of the works of construction and manager of the road afterwards. That took up all his time, because there must be an officer holding the rank and position of Chief Engineer of the Intercolonial Railway. It was thought that Mr. Shanly, being a disinterested party, and a competent engineer, in whom the public had confidence, should be gazetted and appointed Chief Engineer, in order to enquire into the contracts and wind them up, just as Mr. Fleming would have been obliged to do—in fact, to step into Mr. Fleming's shoes, and give the necessary certificates under which Government would be authorized to pay the money due. That is simply the way the matter stands. I am not at all aware there are any suits in Court, any petitions of right filed, which have been referred to Mr. Shanly; but I should not be surprised if that were the case. I do not, however, believe it is the case. I believe that whenever a party files a petition of right, he is left to his legal remedy. We considered in the other case that that arrangement was carried out, that the assessors found the Dominion owed so much, and the money was paid. I believe that Mr. Shanly is simply performing the duty that Mr. Fleming declined to perform since 1874, inasmuch as he considered he had ceased to be the Chief Engineer of the Intercolonial Railway.

Sir ALBERT J. SMITH. I believe the right hon. gentleman has not stated the facts exactly. As I understand them, Mr. Fleming, who was really the Chief Engineer, had adjudicated upon all those cases, and acted as he thought right. But here is a gentleman who knew nothing of the work, authorized to give certificates that Mr. Fleming, who knew all about it, had refused to give.

Sir JOHN A. MACDONALD. On the ground that he was such Chief Engineer.

Sir ALBERT J. SMITH. But Mr. Fleming had decided the parties were entitled to nothing, that all those cases should be adjudicated upon. With regard to Murray and Oakes, the First Minister has not stated the facts correctly. That case had been brought before the Court, and Judge Fournier had taken the testimony in the ordinary course and then committed the case to the registrar to take certain evidence. At that stage of the proceedings, as I understand, the Government took the case out of the hands of the Court, and referred it to Mr. Keefer, and in this they say the decision of Mr. Keefer is absolutely conclusive and final. The First Minister, who knows the testimony taken before the Court, says the registrar is not a railway man. But

the Judge is not a railway man; he can call in the aid of an assessor, however. He had a duty as an officer of the Court in the matter. But in this case the Court was seized of the case which the Judge had a right to determine. Mr. Keefer was appointed to deal with the case—a gentleman who had no responsibility to the Court, being an independent arbitrator. He adjudicated upon it without calling in the aid of the three men who knew all about it. No satisfactory explanation was ever given of the removal of this case from the Court, and its reference to a party whose award was to be final. So \$100,000 was awarded, when Mr. Brydges, Mr. Fleming, and all the other competent authorities believed the parties were not entitled to a cent.

Mr. McDONALD (Pictou). It is manifestly inconvenient to have to discuss a matter of this kind over and over again. It was discussed last Session, when the claim of Oakes and Murray was brought up by the hon. member for Lambton.

Mr. MACKENZIE. No; there was a sort of intermittent talk upon it. I had intended to bring it up, but did not.

Mr. McDONALD (Pictou). There was a great deal of talk on it, and the facts were pretty fully ventilated. The suit was commenced by a petition of right, and evidence was taken, including that of Mr. Schreiber, if I recollect right, and that of Mr. Shanly and other witnesses the Government thought proper to produce before the Court, previous to the reference of the case to Mr. Keefer at all. After all the evidence was taken, and the question of law, the right to recover, had been determined by an interlocutory judgment of a Judge of the Supreme Court, the case was referred to Mr. Keefer to determine the amount due. One of the points taken in the discussion of this case in this House last winter was that the Court had held that the acts of the late Government and of its leader as Commissioner of Public Works at the time, had the effect of waiving the requirements of the Statute which required the production of the certificate of the Chief Engineer before a party could recover, the Court held it was waived by the action of the hon. member for Lambton, in directing a new survey. A new survey was ordered. But I agree that my hon. friend did only what was an act of duty and common justice to those litigants, irrespective entirely of their right to recover. The Judge characterized on that occasion the mode and manner in which employes of the Engineering Department—I do not refer to the Engineers, Mr. Schreiber or Mr. Fleming, who had to rely on their subordinates—perform their work, and as to the character, nature and quantity of the work done, and stated the reason why he had to refer the evidence to an expert or to the Registrar of the Court was, that these surveys were so totally unreliable it was impossible for him or any officer to determine the quantity of work done or the amount due. It will be remembered that the mode in which the monthly estimates were determined on more than one occasion was, by the superintending engineer rushing up the side of a hill, or jumping up a tree and estimating the quantity of work done by the number of men on the road. That was the character of the testimony on which the Judge held that my hon. friend was perfectly right on deciding upon a re-survey of the work. I believe it is undeniable that the best course was adopted in this case.

Mr. BLAKE. I think the Minister of Justice has hardly put the case as it should have been presented. The party in this case had gone to the Court, which had decided against him, I believe, on many points, but required evidence to be taken on some particular point. Under the Exchequer Court Act, it is competent to the Court to appoint any person as referee; and if the case had been one which, in the view of the Government and of the contractor, was fit to be referred to some person having special and technical knowledge, an application to the judicial tribunal before which that case was heard for the appointment of that per-

son as the referee, instead of the registrar, would, no doubt, have been heard and acceded to. And the case would still have been in the Court and would have been dealt with according to legal principles; and the Crown would have had the security which was intended to be conferred upon it by the creation of the Exchequer Court and the giving of the right to try these cases. But instead of that, the hon. gentlemen, at the request of the other party—a suspicious thing—arranged an altogether different plan. They determined to take the matter out of a Court of Justice and put it into the hands of an arbitrator to dispose of, and the result was a verdict of \$100,000 against the country. And hon. gentlemen having begun so well, went on. Mr. Marshall Wood, who had a verdict against him, so far as the case had gone in the Court, was not satisfied; he applied to the Government to take his case out of the Court; the Government compliantly agrees; they refer it to the arbitrators, who award \$13,500 against the country—a verdict which, from my slight study of the facts, I believe is a wholly preposterous one—and the Government has to appeal to have the case brought back to the Court of Exchequer, and now they are trying to break down the award of the official arbitrators. This system of taking the trial of such cases out of a Court of Justice, constituted for the very purpose of trying them is most suspicious. It is calculated to lead to the gravest suspicion of those who take these cases out of Court, and bring them before the arbitrators; and what we had as a beginning last Session, is now going on in wholesale fashion. Look at page 95 of the report of the Minister of Railways, and see the class of cases which Mr. Shanly is called on to settle. Mr. Fleming was Chief Engineer of the Intercolonial up to 1874, during the whole period of its construction, and practically for some years afterwards; at any rate, so far as these contracts were concerned a number of them were completed within that period. Then Mr. Schreiber is appointed to the position—

Mr. McDONALD (Pictou). No, no.

Mr. BLAKE. I understand so.

Mr. McDONALD (Pictou). Mr. Schreiber is Chief Engineer of Railways in operation.

Mr. O'CONNOR. Mr. Schreiber was never appointed Chief Engineer of the Intercolonial. He has never been appointed by Order in Council.

Mr. BLAKE. I am not speaking of what he is now.

Mr. McDONALD (Pictou). He was never appointed Chief Engineer.

Mr. BLAKE. My hon. friend (Mr. Mackenzie) says he appointed him. He, at any rate, was acting as Chief Engineer of the Intercolonial from 1874 out, and he knew what was done after Mr. Fleming ceased to be engineer, and knew when the claims of these arose. If we look at Appendix A we will find that the claims which Mr. Shanly is called upon to settle, are claims upon original contracts. Three of them were upon contracts executed in 1871; and ten or twelve in 1872, the remainder being in 1869 or 1870. These claims then arose more than ten years ago; certificates were refused to these parties obviously because if the Chief Engineer had certified that anything was due to them the Government would have paid the amount. The great bulk of the cases went into the Exchequer Court. Since the discussion began I have hurriedly marked some of those which by Mr. Shanly's own report appear to have gone into the Court; I have marked two, and there were probably many more. I find that the claims mentioned in this appendix represent an aggregate amount of three and a half million dollars, and almost all of them have been in the hands of the Court for decision. I notice among them the two Quebec cases which were under adjudication largely in my own time—I

Mr. BLAKE.

mean the case of Bertrand & Co., and that of Berlinguet & Co. One of these cases was tried at great length, and the decision arrived at was wholly adverse to the contractors; and the parties to the other cases seeing that it would be wholly useless to bring it, because, so far as I could judge, the same principle of decision would be applied in both cases, withdrew the case after it had been entered in Court. The amount involved in these cases was somewhere between \$1,000,000 and \$2,000,000, and yet, Sir, one of these very cases has been referred to the decision of Mr. Shanly for his report—the one which, though not formally decided, was virtually decided by the judgment in the other case. It is handed over to a man who confessedly had no personal knowledge of the matter as it was going on; he is brought fresh into the investigation of a transaction at a period more than ten years after the completion of the great bulk of the contract—an investigation free from the difficulty of being obliged to get the certificate of the engineer who did know, and who alone could know, the basis of the claim which is brought forward at this time of day. How is it possible to ascertain the expenses in connection with cuts or fills or embankments, when the work has been completed more than ten years? They are entering upon the region of conjecture and speculation with regard to the estimation of this work, in order to establish against this country a claim which was practically settled by the withdrawal of the other case on account of the decision which was given. And this is not a machinery to supply a defect which the contractors were entitled to have supplied, but to immerse this country in millions of dollars of expense which the country should not be called upon to pay.

Mr. McDONALD (Pictou). There are two points with regard to which the hon. gentleman has entirely misapprehended the facts. He says that the Oakes-Murray case was withdrawn from Court and left to arbitration. That is not the case. The matter was left to Mr. Keefer who was practically acquainted with the work, and fully competent to determine the only point left by the Court to be determined. It was a question as to an amount due under a certain state of facts found by the Court upon competent evidence, and it was thought unnecessary, after Mr. Keefer had fulfilled the duties assigned to him by the order of the Court, to incur the expense of putting the matter back into Court for further confirmation, after it had really decided the whole case. It was, therefore, decided that the finding of Mr. Keefer should be the finding of the Court. With regard to other cases, the hon. gentleman is equally under a misapprehension.

Mr. MACKENZIE. Who is that?

Mr. McDONALD (Pictou). Those who are now seeking to establish claims for work done on the Intercolonial, which have been referred to by the hon. member for West Durham. If he will give me the names I will tell him those who have, so far as I understand it, endeavored to vindicate their right to recover in a court of justice. I do not say they had any right, or that they will now be entitled to recover. My hon. friend was wrong when he said that Mr. Shanly's certificate had any more effect than the certificate of any other engineer. Mr. Shanly has simply to enquire whether there is anything due to those people, and if he finds there is, he will say so, and it will be for the department to determine what shall be done. There will then be time enough for the hon. gentlemen opposite to impress upon the country that there was something wrong, some desire on the part of the Government to throw away public money. The time to do this will be when they find that the money is thrown away, and when they find a single instance where the Government have improperly, in consequence of any reports of Mr. Shanly, paid out any public

money that should not have been paid. It will be for the department, as it was under the administration of the hon. gentlemen, to determine, on the report of the Chief Engineer, whether they will recognize any claim or not. If the Chief Engineer says there is no claim, then the parties can take their own course. If he says there is a claim, then it will be for the Government and the department to determine in what form, if any, that claim shall be disputed or further investigated. The difficulty is, as I understand it—and I do not think that my hon. friend will contradict me—that since Mr. Fleming ceased to be Chief Engineer of the Intercolonial Railway in 1874, down to the time of Mr. Shanly's appointment, there was no officer qualified by law to give the certificate required by law, and therefore it was that the people who claimed, rightly or wrongly—I care not which—that they had an equitable claim against the Government for work done, were unable to get beyond the threshold of the Court. They were unable to go into an investigation of the justice of their claim, because the Courts held that they should first get a certificate of the Chief Engineer, and there was no Chief Engineer to give them a certificate. Mr. Schreiber was not appointed Chief Engineer he had no authority to give a certificate; and, if I am correctly informed, he always declined to give such certificate on the ground that he had no authority to do so. Mr. Fleming declined to do it, because he considered that he ceased to be Chief Engineer in 1874. Under the circumstances the Government properly, as I still think, in order to meet the just complaints of those who said they had claims, determined that a Chief Engineer should be appointed: a gentleman of high character and qualifications who should perform the functions of engineer that ought to have been performed many years ago. Now, I think on both sides the action of the Government was entirely right. I am ready, after reasonable notice, to meet an investigation into this matter. It is time enough that the department should be assailed for doing wrong when it is found that they have done wrong.

Mr. BLAKE. The hon. gentleman seems to think it will be quite time for us to speak after the money is gone. I think it is better to speak before it goes, because I do not think we shall get it back again once it is gone. The hon. gentleman says there is a difficulty on account of Mr. Fleming's appointment to another office, and his ceasing to hold the office of Chief Engineer. I cannot speak from personal knowledge, but the hon. member for Lambton says that Mr. Schreiber became Chief Engineer of the Intercolonial Railway after Mr. Fleming ceased to be such. But Mr. Fleming ceased to be such in 1874 only, and these claims, according to Mr. Shanley's report, arose from contracts completed, some in 1870, some in 1871, and some in 1872. They were completed more than two years before Mr. Fleming ceased to be Chief Engineer. Now, no reasonable man can suppose that the contractors would wait more than two years to ask Mr. Fleming for a certificate in order to get their money. Of course they asked for it beforehand, the difficulty always is that they are always asking for it beforehand, and the moment they found that Mr. Fleming refused to certify for more than he thought was due—

Mr. McDONALD (Pictou). That is an assumption.

Mr. BLAKE. I have no doubt Mr. Fleming discharged his duty, and that during the two or three years after the completion of this work and when he was confessedly Chief Engineer, he did not decline to certify except for work which had not been done.

Mr. MACKENZIE. At any rate Mr. Fleming never did give an official certificate in some of these cases. I do not know what the hon. gentleman has been told, but if he is going to make an imputation against Mr. Fleming that for two or three years while he was engineer of the Intercolonial, he declined to deal with those cases of the con-

tractors which came before him, then let us know it, and let us deal with that public servant as he deserves to be dealt with, severely, if indeed that was his course. But I do not believe that was his course. I was Minister during the time that most of these petitions of right were brought forward, and I never heard until to-day that there was a difficulty about getting certificates because there was no person competent to give them. I know that those contractors complain that Mr. Fleming or somebody else refused to give them certificates when they thought they ought to get them. But their complaint was of that nature, not of the nature which is now described. Of course, it would have been the duty of those contractors to represent that they were prevented from getting certificates which they ought to have got because there was no person competent to give them. Under that state of things it would have been the bounden duty of the Government to create an officer in order that the certificates might be given whenever they were due. But until to-day I never heard in this House, or out of it, as a Minister or as a member of Parliament, that this was a difficulty in the case. The difficulty always presented was, that there was a difference of opinion between the engineer acting for the country and the contractors acting for themselves, and the engineer thought that it was his duty not to give certificates which the contractors thought he ought to give. That difficulty we tried to solve, but we were unable to solve it in many cases. In some cases I believe it was held that certain proceedings which had been taken by the Government ought to enable the contractors to prosecute their claim in the absence of certificates, but in these cases in which the certificate was a preliminary essential to getting a claim there was no complaint that there had been the fault on the part of the Government in providing an officer. More than ten years have passed since some of those claims arose, and now we are asked to set aside the decisions of the Court on the plea that the contractors could not get certificates because there was no officer who was competent to give them, and this after a fresh man was brought in on purpose to give them.

Sir JOHN A. MACDONALD. Since we have gone astray from the item under consideration we may as well have out this discussion. In the first place, the hon. gentleman says that he never heard before that there was a technical difficulty on account of their being no Engineer-in-Chief to sign certificates. In that case the hon. gentleman must have been absent from this House, because last Session the Minister of Railways stated in his place again and again that that was one of the technical difficulties.

Mr. MACKENZIE. I never heard him say so.

Sir JOHN A. MACDONALD. The hon. gentleman has got a short memory, and if he will bring me the *Hansard*, I will undertake to find where the Minister of Railways stated that in his place. I think the hon. gentleman should admit that Mr. Fleming, as Chief Engineer, ought to know everything that was done, as long as he held that position, and therefore that his certificate was binding, so long as it was given while he held that position. Yet the moment he ceased to be Chief Engineer he was *post officio*, and his certificate was of no more value than would be the certificate of the hon. gentleman himself. I say that Mr. Schreiber never was appointed Chief Engineer of the Intercolonial under the Statute. The hon. member for Lambton, who was at the head of the department, asked him to act, and he did act, I suppose, as Chief Engineer, but he had no appointment under the Statute. Unless he was appointed according to law his certificate was of no more value than the certificate of Mr. Fleming after he resigned, and could not be received in evidence. Mr. Fleming had resigned, and therefore his certificate was of no value. Mr. Schreiber was not appointed, and there-

fore his certificate was of no value. And the contractor was asking for a certificate, and had a right to get a final certificate, either to say that there was a balance due him or the reverse. He never had a certificate; and the Government held, in the absence of the certificate of the Chief Engineer, that that technical objection, no matter what might be the justice and righteousness of the claim, was fatal to the claim. This whole proceeding was simply to get rid of the technical objection, and the appointment of Mr. Shanly, by Order in Council, to be Chief Engineer, that he might do that which had not been done before. The hon. gentleman's argument, if it amounts to anything, is to exact the pound of flesh, to declare that this country cannot afford to be honest, that it must take advantage of all technical objections, and no matter whether the contractor might be ruined by not having money for money's worth on his contract, yet the Government should simply say to the Court, that there is no certificate of the Chief Engineer, that they will not appoint one, and therefore the contractor cannot receive what is justly due. That is a dishonest and petty-fogging way of acting, one unworthy of a nation and of Canada; and I am quite sure the people of Canada will not thank hon. gentlemen opposite, or a Government, if they took advantage of every miserable technical objection in order to cheat contractors. That is the simple argument of the hon. gentleman (Mr. Blake). It is always said that a man has a very bad case if he dare not leave it to arbitration for settlement. I contend that the principle involved in the General Board of Works Act and the Railway Act, is that of arbitration, and an official court of arbitrators was established. And why? Because the Legislature thought, and thought justly, that the fairest way of deciding between the two departments and the contractors would be to leave it to a board of arbitrators, not bound by technical points. Sir, the hon. gentleman does not venture to say that the arbitrators appointed—either Mr. Frank Shanly or Mr. Keefer—were not men that any Government might justly select as arbitrators to decide between contractors and themselves. They are competent and honest men; engineers who know the value of work, the cost of construction, and who have been in the habit of dealing with contracts. What can a Government do more fair or honest than to take honest and competent men to decide between contractors and the Crown, and not insert technical objections to destroy the real, honest or asserted claim of men who, having a full confidence in the honesty of the Government, had involved themselves and their friends in contracts for large amounts, believing that they would be treated as one honest man would treat another honest man, and that technical objections would not be thrown in their faces in order to ruin them and save, out of the starving Treasury of the people of Canada, sums of money by filching them out of the pockets of contractors.

Mr. BLAKE. I am sorry the hon. gentleman should first have grossly misrepresented, as he has grossly misrepresented, what was stated on this side of the House, and afterwards applied grossly unparliamentary epithets to the proposal of a member of Parliament. The hon. gentleman is wholly wrong when he alleges that it was suggested from this side of the House that advantage should be taken of what he calls a technicality. Who framed those contracts for the construction of the Intercolonial Railway? Who caused to be inserted in the contracts a provision that no payment should be made unless the party obtained the Chief Engineer's certificate? Hon. gentlemen opposite. I say that clause which is inserted in these contracts is a wise and wholesome clause.

Mr. McDONALD (Pictou). It is the law; it is the Statute.

Mr. BLAKE. What is?

Mr. McDONALD (Pictou). That no money shall be paid except under the engineer's certificate.

Sir JOHN A. MACDONALD.

Mr. BLAKE. There is a clause in these contracts to that effect.

Mr. McDONALD (Pictou). The signed contracts were framed on the Statute, but if there was no such clause, the law says so.

Mr. BLAKE. I am not talking of what would have happened if there had been no such contracts. The hon. gentlemen did not confine themselves to Executive action but invited legislative action in the same direction; and both in the Act of Parliament, and in the contracts, they provided that contractors should have no claim except they could produce the engineer's certificate. It only strengthens the case. Then the hon. gentlemen say we should not have demanded the certificate of the Chief Engineer. I say we should have done so. I say it was essential. It is a clause in all contracts I know of into which railway companies have entered, and it is one which is now inserted in all Government contracts. It is essential to the security of those who make the contract that they should have this power in their hands; so that, instead of a stranger who knows nothing about the work, who does not know what has been going on, and who has not seen the reports of engineers from day to day, and occasionally visited the work, being called in at the end of ten years to decide as to payments, an engineer will report, from his own knowledge, at the end of the time, or from time to time, what he deems under the contract is due to the contractors. If it had been the case that those unhappy contractors had come into Court and produced the certificate of Mr. Fleming dated after 1874, and the Crown had answered that Mr. Fleming resigned in 1874, and therefore his certificate was of no use; or if it had been the case that those unhappy contractors had come into Court in 1876-77, and produced the certificate of Mr. Shanly, the acting engineer of the Intercolonial, and the Crown had said that the certificate was of no use, because Mr. Shanly was not appointed under an Order in Council, and therefore was not technically Chief Engineer—then the First Minister's language, strong though the language was, would be applicable to the course of the Government, because they would have been taking advantage of a mere technical question as to the standing of the party when he was really and substantially Chief Engineer.

Mr. O'CONNOR. The Government did that.

Mr. BLAKE. No. They did not take advantage of that in order to defeat some certificate made by either Mr. Fleming or Mr. Schreiber. It was because neither Mr. Fleming nor Mr. Schreiber could be brought to give a certificate to the party that there was no certificate.

Mr. McDONALD (Pictou). They ought to have been made to give it.

Mr. BLAKE. In the discharge of their duty they thought there was nothing due to these men.

Mr. McDONALD (Pictou). The law does not require them to say so. All they have to decide is whether the work is properly done, and the Court decides the amount to be paid.

Mr. BLAKE. I am speaking of the railway contracts, which provide that the engineer's certificate is essential to success. The Government do not plead that the engineer's certificate was defective because of some technicality in his appointment, but they say: "You have not produced that substantial preliminary of success, the certificate of the engineer," and the contractors do not answer: "We cannot get the certificate, because there is no engineer." I have never heard such a plea set up until now. Their difficulty was they could not persuade the engineer to certify the sum which they said was due. The Courts decided against some of these claims, and it is now proposed in effect to override their decisions, and at this distance of time, when it is impossible rightly to estimate the value of the claims,

when the recollection of the circumstances has largely faded from the minds of those who might give evidence, probably saddle this country with the payment of a large sum of money.

Mr. O'CONNOR. The hon. member for Lambton, in alluding to the Murray case, stated that the arbitrator to whom the case was referred decided without the evidence of the Government Engineer. The facts are simply these: The engineers were all examined before the Judge in the Court of Exchequer. The resident engineer was under examination and cross-examination for three or four days; the rod-men under him were examined; Mr. Schreiber, Mr. Fleming, and Mr. Brydges, were all examined and cross-examined at great length. The evidence of all these witnesses was taken down by a short-hand writer, and reported to the Court. It turned out in the evidence that Mr. Schreiber knew nothing at all about the work of construction, but based his report entirely upon the reports sent from time to time by the resident engineer. Mr. Brydges acknowledged that his report to the Minister was based upon the report of Mr. Schreiber, and that he knew nothing about the work of construction. So that everything depended on the knowledge of the resident engineer. When the arbitrator took the matter in hand, he had all that written evidence before him. But the evidence of Mr. Grant, as taken down, not being quite satisfactory, he examined Mr. Grant again—I presume he did not think it necessary to examine the others—and upon all the evidence he made his award.

Mr. MACKENZIE. The hon. gentleman says that Mr. Schreiber and Mr. Fleming were examined in the Court. Their evidence was unfavorable to the applicant.

Mr. O'CONNOR. They did not know anything about it.

Mr. MACKENZIE. The fact is, the hon. gentleman was counsel for these parties, and he appears to be counsel still. He ought to remember that he is now a Minister of the Crown and a member of this House.

Some hon. MEMBERS. Order, order.

Mr. O'CONNOR. The hon. gentleman has no right to lecture me in that style.

Mr. MACKENZIE. Well, some person must undertake the duty, and I will do it as pleasantly as possible. According to the hon. gentleman's statement, Mr. Grant, the only witness whose evidence appears to have told in favor of the contractor, was examined before Mr. Keefer. If the thing had been planned from first to last in order to get a verdict for the contractors, it could not have been done better. Now, why was the arbitrator not asked by the Government to invite both Chief Engineers to give evidence before him, as both Mr. Fleming and Mr. Schreiber were intimately acquainted with the work? I am surprised to hear the hon. gentleman say that Mr. Schreiber knew nothing about it. I am sure Mr. Schreiber will not say that.

Mr. O'CONNOR. If you read Mr. Schreiber's evidence you will see that he did say that.

Mr. MACKENZIE. I will look at the evidence, but I know it is not the case. The hon. First Minister says we have got up a discussion not germane to the question before the Committee. I deny that entirely. I find by one of the returns brought down yesterday that one, Mr. Girouard, made a claim of \$2,640 for sleepers which were not delivered at the place where he was required by his contract to deliver them. The claim was submitted to arbitrators, who decided by a vote of two to one against it, and the Government refused to pay the claim. This claim is now sent to Mr. Shanly, and he reports in favor of paying it. The head of the Government undertakes—I do not know why—to make a report on the

subject, and he says, that because one of the arbitrators says the claim should be considered, and because Mr. Shanly is of the same opinion, therefore this man should be paid. The Government never got a dollar of value for that money; not a sleeper was delivered according to the contract. An hon. gentleman asks me who this Mr. Girouard is. It is stated that in the meantime he became a member of this House, and that after that the claim was considered and the money paid. The hon. gentleman says no money could be paid under the contract except by the certificate of the Chief Engineer. Can the hon. gentleman point out a single case where any person was not paid because there was no certificate? Every contractor was paid punctually upon the certificate of the engineer, and the engineer punctually gave a certificate if anything was due. But in this case not only was there nothing due, but there was something overpaid, and therefore, it was impossible to give a certificate. There was nothing to certify to. In the Starr case my impression is it was settled but reopened again by Mr. Shanly. If that is the case, it is another Girouard case, and equally indefensible in this House.

Mr. O'CONNOR. The statement that I was counsel in the case is true, but immediately on entering the Government I gave the parties notice that I could not attend to their case any further. I have had nothing to do with it since.

Mr. MACKENZIE. I did not say the hon. gentleman was counsel after he became a member of the Government. I said that by his warmth he seemed to be now acting on their behalf.

Mr. McCARTHY. The hon. Secretary of State has stated in his place these reports made by the engineer, Mr. Schreiber and by Mr. Brydges, were made on the statements of the resident engineer, and that the only knowledge they had was that communicated to them by the resident engineer. I understand the late Minister of Public Works to say that is not, and cannot be so. If the hon. gentleman will look at the judgment of Judge Fournier, before whom this case was tried in the Exchequer Court, he will find that the statement of the hon. Secretary of State is strictly accurate. He will find in that judgement a statement of the kind of survey, estimate or examination, that was made by Mr. Grant, resident engineer; he will find it was upon that very inefficient survey and on that alone that Mr. Schreiber made his report, and upon his report Mr. Brydges reported to the hon. Minister of Public Works. It is apparent, therefore, that the whole foundation of the judgment depended on this original examination made on the ground—and Mr. Grant excuses himself for having made it so imperfectly—of want of time, and the lack of ability of another gentleman who assisted him. It is, therefore, clear the statement of the hon. Secretary of State is correct, and that to have refused these gentlemen a new survey would have been to deprive them of what was justly due them. The hon. member for Lambton has, at great length, dwelt on the impropriety of the appointment of Mr. Frank Shanly. What are the facts with regard to that? Mr. Fleming ceased to be Engineer-in-Chief in 1874; from the moment he ceased to be Engineer-in-Chief he had no power to give the certificate, and without it the contractors could not recover their claims. If Mr. Schreiber was never appointed engineer by the late Government, it is for them to explain why there was no officer in a position to give the contractors a statement, not as to the amount due, but as to whether the work was completed or not. Mr. Fleming said he could not give that statement.

Mr. MACKENZIE. He never said anything of the kind.

Mr. McCARTHY. I am informed that he did, and he gave the reason I have given for saying so. At all events

if he did not, the result was the same, for he had no power to give such a statement. Mr. Schreiber was never properly appointed to the position, so that these contractors having claims against the department were prevented from prosecuting their claims by this plea, which was placed on record in the Murray case: "You cannot go into Court because you have not the certificate of the engineer, and there is no engineer to give the certificate."

Mr. MACKENZIE. My hon. friend is mistaken. They were not deterred from going to Court. They were in Court, but the Government would not let them stay there.

Mr. McCARTHY. The Murray case was in the Court, but the others were not. It was in the Murray case that the plea was set up that, as no certificate was given, it was useless for the contractors to sue. The people do not want on such ground to turn a man out of Court. They are willing to do what is right and honest, and even at this late day are willing a person should be appointed—who ought to have been appointed when hon. gentlemen opposite were in office—to discharge the duty, under the Intercolonial Act, of giving the necessary certificate to enable those claims to be settled.

Mr. MACKENZIE. Every certificate was paid promptly by the Government during the five years of our Administration; no man went a day without payment for want of a certificate, and no case was kept out of Court on that ground. Such a contention is a mere quibble to cover the retreat of hon. gentlemen opposite when they found themselves in a false position. Let them point to a single case in which any man was refused money due.

Sir JOHN A. MACDONALD. The Murray case.

Mr. MACKENZIE. The money was not due.

Mr. McDONALD (Pictou). I will point to a case of a most grave character, that of a Mr. Jones and his partner, whose name I forget. The engineer gave a certificate that Mr. Jones was entitled to receive a certain sum. He thought the amount was not sufficient. My hon. friend opposite (Mr. Mackenzie) would not pay him unless he accepted it in full of account. Mr. Jones commenced, by petition of right, an action in the Court of Exchequer. The Chief Justice of the Supreme Court attended in Halifax to try the case. Mr. Bell, counsel for the Grand Trunk Railway Company, represented the Government as senior counsel. Instead of going into the whole case, such evidence was only taken as brought out the fact that no final certificate of the Engineer-in-Chief had been given. The plaintiff was consequently non-suited, and the non-suit was confirmed. He never got a dollar of money except by favor of the Government which agreed subsequently to give him what they had before, through their Commissioners, admitted he was entitled to receive; but he never had an opportunity to this day of determining, as he ought to have had, whether or not he was entitled to receive more than the Government offered him. This is a case in which I know, from personal investigation, a very serious and gross injustice was done to a very estimable and able contractor. He could not get beyond the threshold of a Court of Justice, even to enquire whether there was an amount due to him or not, because he was debarred by this clause which I will read to my hon. friend who should not persist in asserting facts, which I am quite sure he would not assert if he believed them to be incorrect, but which manifestly are incorrect. The clause is this: "No money shall be paid to any contractor"—and that is in the Statute with reference to the construction of the Canadian Pacific Railway—"until the Chief Engineer shall have certified that the work for and on account of which sum shall be claimed has been duly executed, and until the said certificate has been approved by the Commissioner." Under this Act

Mr. McCARTHY.

it was necessary that the certificate of the engineer should be given and be approved by the Commissioners—a certificate not of the amount due but simply of the fact that the work was done. Then every subject of the realm could enter the Supreme Court, and by the aid of the law, ascertain whether the engineer who had calculated his work and the Commissioner who had affirmed it, made a proper calculation or not. I ask my hon. friend whether that is not common justice and common sense, and whether it would not be a violation of every principle of law as well as justice if it were otherwise. Of course, if a man makes a contract, as is often done, such as the member for West Durham referred to, that he shall be bound by the certificate of an engineer or of another party, he has a perfect right to do so, and has no reason to complain if he be prejudiced by that contract. But when the law says that the engineer shall give a certificate whether his work be done or not, and the engineer refuses to give it, and thus prevents the contractor going into Court, I wonder whether my hon. friend, if the case were left to him, as an arbitrator, would not say that such a condition of things was totally indefensible, and worked gross injury and injustice to the party who had a right to an investigation of the claim. The First Minister is entirely right—that when Mr. Fleming declined, as I know he did, to give absolutely any certificate as Chief Engineer after 1874, considering he had retired from that office—I need not tell the members for West Durham and Lambton that, no matter who appointed Mr. Schreiber, his appointment was not in the manner prescribed by the Statute, his certificate in a court of justice could not be received as evidence, but would have been utterly useless.

Mr. MACDONNELL (Inverness). I wish to ask if the Government could not have waived the necessity of acting upon the certificate of the engineer, and gone on with the case?

Mr. McDONALD (Pictou). Had we done so, we should have had the hon. gentlemen opposite howling at us for corruption. I thank the hon. gentleman for his suggestion, and hope he will induce his political friends in Opposition to favor our waiving the certificate of the Chief Engineer when it is thought injustice has been done the applicant.

Mr. MACDONNELL. I mean—could the Government not waive the matter of the irregularity of the appointment of the Chief Engineer, and if they would not give up such a power against the Government on that simple waiver, in order to bring the case to the regular Court, what would they now give up as against the Government for going further.

Mr. McDONALD (Pictou). The hon. member for Inverness is turning a very sharp corner. He says, in effect, it would not do to waive the certificate, but we could go round the corner and waive the fact that there was no engineer to give the certificate. This is quite as logical and consistent a view as those we have heard from the Opposition side all the afternoon. Every lawyer knows that no Judge would admit evidence unless we adopted the suggestion of the hon. member for Inverness, and authorize the Court to waive the certificate. I do not propose to run that risk. The remedy we are seeking to apply, by the appointment of Mr. Shanly, is not to give power to the arbitrator to pay any money, but to say whether the work has been done, and, if done, whether anything is due or not.

Mr. MACKENZIE. The Minister of Justice has chosen a very unfortunate instance in order to prove his point. He says those parties were refused a certificate. But why? Because they refused to give a receipt.

Mr. McDONALD (Pictou). I said so.

Mr. MACKENZIE. The Commissioners, before I acceded to office at all, had acted upon that principle of having a

complete settlement, and they required, in giving a final certificate, a receipt.

Mr. McDONALD (Pictou). On that point of policy I do not say a word. The hon. gentleman had a right to demand of a party to whom he paid, say \$1,000, due by the Government, a receipt in full. That is not the point. My point is that Jones was non-suited, and could not go into Court, because he could not get a certificate at all. It is admitted he did his work, finished his contract. The Commissioner admits there was something due him, but because he could not produce a certificate to that effect he was non-suited.

Mr. MACKENZIE. The hon. gentleman says in one breath that the claimant could not enter the Court, and in the next, that he was non-suited. That is a very remarkable statement. The parties could have produced the certificate of all the payments they obtained, had they chosen to call for them. On the question of the last certificate the evidence could have been given in Court, if called for, that the Government offered to pay them a certain amount. The non-suiting was not in connection with the certificate at all, but was based upon other grounds.

Mr. McDONALD (Pictou). I assure the hon. gentleman it was—I know it.

Mr. ANGLIN. I think we have to enquire here not merely whether the Government have any right to cheat or defraud any gentleman who held a contract on the Intercolonial, but whether they have any right to cheat or defraud the people, in order to award such friends of theirs as have contracts on that road, the most unjust, unfounded and unwarrantable claims arising out of such contracts. The effort of hon. gentlemen on the Ministerial side, is to create the impression that the payment of this extraordinary claim was refused only because there was no Chief Engineer to certify it. Let them name a single instance in which Mr. Fleming refused to any of those contractors, in the proper time, a certificate of his case because he had ceased to be Chief Engineer. The majority of the claims arose before he ceased to be Chief Engineer, one, two or three years before. Is it to be supposed the Government should have retained a gentleman perpetually in office as Chief Engineer until all such claims were settled? How long should they have retained him for this purpose? Periodical reports were made to the Government in all those cases, the kind and quantity of work done was reported from time to time—though not with strict accuracy, perhaps—and final surveys were made. The report of the Chief Engineer upon those returns has, to a certain extent, and almost within the meaning of the Act, been a certificate as to the amount of work to be done. In nearly all those cases the claims are not for work done within the specifications of the contract, but for extras, for work done in addition to what was supposed to be the original amount of the contract. In these cases the engineer cannot have certified to the amount which the parties were entitled to receive, else no doubt every cent of that amount would have been paid. The Chief Engineer, after those men began to press their claims, refused to give them such a certificate as they would accept; they would not accept as payment in full the amount he allowed, and now, after the lapse of eight or ten years, we have another gentleman appointed to go over the work and settle the claims, after the embankments have shrunk, after the whole face and character of the work has changed. We have seen, from the case mentioned by the hon. member for Lambton (Mr. Mackenzie), how ready that gentleman is to certify that the claims are well founded, which on their face have no foundation in the contract. What object is this investigation intended to serve? Nothing has been said to justify in any way the conduct of the Government in taking the Murray-Oakes case out of

Court. The Judge of the Court had in his hands the power of determining the value of evidence submitted to him; his judgment was to be affected entirely by the value of that evidence, and the country will not believe that there are even the features of probability in the statement that the case should be taken out of Court and placed in the hands of an arbitrator. The country will not condemn the action of the Government on the technical ground that these gentlemen applied for a certificate which was refused, and that the matter should be reopened on that ground ten years after the work was done. The matter stands fairly and fully before the public that Oakes and Murray got \$100,000 which Mr. Fleming refused to give them, and which they were not entitled to receive. If the Government had brought down the return bearing upon this subject, for which I moved some weeks ago, we should be in a better position to discuss the matter; and I fear that when it is brought down, it will show that there are a great many cases just as bad as those which have been referred to.

Mr. PLUMB. With regard to the Oakes-Murray case I have a short letter, which, as it is important in its relation to the matter under discussion, the House will, perhaps, permit me to read. The hon. member for Lambton began his violent attack upon the Government by referring to the Oakes-Murray case; the hon. member who has just sat down referred to it, and it has been stated that it was shameful and infamous to refer the matter to Mr. Keefer. In fact, it has been treated as if it was a scandalous proceeding and a disgrace to any Government. Mr. A. F. McIntyre, a political friend of hon. gentlemen opposite, was the counsel for the Crown in that case, and I will read a letter which was sent to him by Mr. Lash, the Deputy Minister of Justice, and Mr. McIntyre's reply:

*"Murray vs. the Queen.*

DEPARTMENT OF JUSTICE,

OTTAWA, 15th April, 1879.

"SIR,—I find it laid down in Morse, on Arbitration and Award, that an agreement simply that the award shall be final and conclusive, is powerless to take away the right to assail its validity in the ordinary way and upon the ordinary ground. The awards are commonly used to express the intention of the parties to be bound by the award, but they are not of greater force. The submission in this case contains the usual clause that the award is to be final and nothing more; therefore, the case comes within the rule above defined. As you acted as counsel for the Crown in the case, and are familiar with the proceedings before the Arbitrator and the evidence, I have the honor to request your opinion upon the award, and whether it could be successfully moved against.

"I am, Sir,

Your obedient servant,

(Signed) "Z. A. LASH,

Deputy Minister of Justice."

"A. F. McINTYRE, Esq, Ottawa."

Mr. McIntyre, who was legal solicitor to the Government of the hon. member for Lambton, replies as follows:—

*Murray vs. Regina.*

OTTAWA, 26th April, 1879.

"DEAR SIR,—In reply to your letter requesting my opinion upon the award of Mr. Samuel Keefer in this matter, and whether it could be successfully moved against, I beg to say that, without considering any technical difficulties in consequence of the matter referred being a claim against Her Majesty, but considering the award as if it had been in the case of a claim between a subject and a subject, I am of opinion that any application to set aside the award would be unsuccessful. The proceedings before the arbitrator were regularly conducted, the award regularly made, and the evidence before him, in my opinion, fully warranted his finding.

"I have the honor to be, Sir,

Yours very truly,

"A. F. McINTYRE.

"Z. A. LASH, Deputy Minister of Justice, Ottawa."

Mr. ANGLIN. That was all the evidence produced, but the most important evidence was not put before the arbitrator at all.

Mr. PLUMB. Why did not Mr. McIntyre produce it?

Mr. ANGLIN. I do not know whether he was permitted to do so. A solicitor conducting a case has to be guided by the wishes of his clients for the time being, and the Government were his clients at the time. Then he chose to put in Mr. Fleming's evidence, but the evidence Mr. Fleming gave before the Court was not such evidence as the arbitrator ought to have been satisfied with regarding matters of detail, concerning quantity, measurement, &c. The evidence of Mr. Schreiber before the Court ought not to have been sufficient—even for decency's sake, even for appearance, even ostensibly to protect the hon. gentlemen on the other side from the imputation of having used this machinery for the purpose of putting a large sum of money into the pockets of their political friends, and of gentlemen who have been the clients of some of them. Then, Sir, that was not all the evidence. It may be, according to Mr. McIntyre's statement, that the matter was investigated fairly, that the arbitrator heard all the evidence fairly, and that the decision was correct. But we complain with regard to the arbitration, in the first place that it never should have been referred to arbitration at all, that it should not have been taken out of the hands of the Court established specially for the purpose of determining just such cases, and that after having been taken out of the hands of the Court and submitted to an arbitrator appointed by the Government, we contend that all the evidence bearing upon the case, and all the witnesses who could give any evidence that would guide the arbitrator in coming to a fair and equitable decision, should have been called, and their evidence submitted to him, and that was not done in this case.

Mr. McDONALD (Picton). I have only one observation to make upon the speech delivered by the hon. gentleman who has just sat down. Some persons, as you may have observed, are very often nothing if they are not insolent or impertinent, and there is no man to whom that observation applies with more truth than to the hon. gentleman from Gloucester (Mr. Anglin). He has taken the liberty to insinuate that because I, a member of the Government, happened to be the counsel of one of those parties, antecedent to my entering the Government, that would operate upon my mind in discussing this question. All I have got to say is, that the insinuation, the conception of such an idea, is entirely worthy of the hon. gentleman's mind, entirely worthy of his character as it is understood and known in this country. If I thought that any such insinuation could be believed of me anywhere, I do not know of any man in this country from whom I should receive it with more contempt than from the hon. gentleman himself. An hon. gentleman who endeavors to impeach the honor of another in this House ought to come with a better record than the hon. member for Gloucester. When I stand in this House convicted by the representatives of the people of this country as a foul slanderer and liar, then I can understand being impeached. I can understand an insinuation coming from anybody, but certainly not from the man thus characterized by the assembled representatives of the people. Not only does he stand to-day before the people of the Dominion of Canada thus branded, but he never dared, with a majority at his back, who were willing to sustain him in more ways than one, to ask even that majority of his friends to wipe out the foul stain which is so recorded as the opinion of the people of Canada of that hon. gentleman. The hon. gentleman said that these people were political friends of ours. All I can say is that if any member of that firm is a political friend of any member of this party, I am not aware of the fact. On the contrary, I know that they were the strongest political opponents of our friends in Nova Scotia at that date, and I suppose they retain the same opinion still. I do not intend to follow up this discussion, but I will not sit in my seat, here or elsewhere, and allow that hon.

Mr. PLUMB.

gentleman, or any other man living, to make such an insinuation; particularly when my hon. friend from Lambton will recollect that in the discussion two years ago I stated before this House that being counsel for one of these people before I came into the Government I declined to take part in the investigation. All the advice given to the department was given by my able friend Mr. Lash, Deputy Minister of Justice. All the legal control was exercised by him; the counsel, Mr. McIntyre, whose letter was just read, was appointed by my hon. friend for Lambton, and had charge of this case when I came into the department. Instead of removing him I told him to go on and finish the work he had undertaken; and I presume a man in whom my hon. friend had confidence enough to entrust him with this case, would be equally as honest while doing it for this Government as for the former Government.

Mr. MACKENZIE. I do not think the hon. gentleman was warranted in speaking with so much warmth. As I understood my hon. friend for Gloucester, he said that it would have been better for the Government themselves, considering that some of them were counsel for these parties, that such a course should have been adopted as would have shown that the Government exercised no pressure in the matter.

Mr. BOWELL. He said they took the action in order that they might put money into their own pockets.

Mr. MACKENZIE. I did not hear that. At all events, I am giving my recollection of what he said as well as I can. The hon. gentleman refers to the vote—which I opposed, and, therefore, did not consider a vote—which affixed, as he says, a foul stain upon the hon. member for Gloucester. I would be sorry, indeed, to consider that any vote a majority in this House might pass upon one of their opponents, could be considered in that light. The hon. gentleman also said that he was surprised the hon. member for Gloucester and his friends did not wipe out that stain when they had the power. If it was a stain at all, which I deny, I think it was sufficiently wiped out when my hon. friend was elected Speaker of the last Parliament by acclamation. I could not imagine anything more conclusive than that election in favor of the character and reputation of my hon. friend. I desire to say one word to the hon. the First Minister. In a letter of his which I find in this return, he says: "That, as one of the arbitrators decided in favor of Mr. Girouard being paid for the sleepers, Mr. Shanly agreed that he should be paid." It happens that no such transaction took place. I have the papers here. There is a decision of the Chairman of the Board of Arbitrators, Mr. Cowan, against Mr. Girouard's claim, but there is no decision in favor of his claim from anybody. The hon. gentleman was entirely wrong in his version of the facts.

Sir JOHN A. MACDONALD. This is an instance of the inconvenience of having this matter sprung upon us in this way. The hon. member knows perfectly well, and I remember it was my view of the case, that an injustice had been done by an officer of the railway in order to cover his own error in this case. That is my opinion. However, I will look over the papers, and I will be glad to discuss the question with the hon. gentlemen when we come to the railway estimates.

Mr. ANGLIN. Since the first Session of the present Parliament I believe that we have listened to nothing so violent, so unparliamentary, so coarse, or so unprovoked, as the language used by the Minister of Justice. I did not call the hon. gentleman to order, because I do not at all care what he says of me. His position and mine in the country are both pretty well understood, and let me say that what he regards as a malicious, foul and false libel, is one of the things which I am most proud of. I may say that I was the author of that article, and

I only regret that the whole article did not appear in the journals. In that article I anticipated the verdict of this whole country by a few weeks; and instead of my being relegated to obscurity and banished from the House as a foul and false slanderer, I think the hon. gentleman himself disappeared a few weeks afterwards; and the people of Nova Scotia said of him very much like what he said of the writer of that article, only in another way. Still, I think it is as well to let bygones be bygones. I am not ashamed of anything I have said inside or outside of this House. At present we are speaking of another matter altogether, and I did not insinuate that the members of the Government attempted or desired to put any portion of this money into their pockets. What I did say was that even out of regard to their own reputation, some of them having been engaged as counsel in this case, they should, if they decided to take the case out of the competence of the Court, have taken particular care that every tittle of evidence bearing on the case was submitted to the arbitrator. I do not think there was anything in that to provoke such a display of wrath and indignation and wild fury as that which we have witnessed. The fact that it roused the hon. gentleman to such a pitch of fury will, perhaps, be regarded as evidence sufficient to warrant strong suspicions. Allow me to say that, although he has washed his hands of the case, rumor says that his law partner continued to be the agent or counsel for some of the parties. The fact that he so far forgot his position as Minister of Justice and as a member of this House, is evidence that he must have been touched very severely.

Sir RICHARD J. CARTWRIGHT. What course do the Government propose to take in regard to the cases referred to Mr. Shanly? If he reports in favor of any of them, do they propose to pay?

Sir JOHN A. MACDONALD. The Government reserve to themselves full right to dissent from Mr. Shanly's decision.

Mr. BLAKE. Is there any appropriation in these items which is applicable to any sum of money awarded by Mr. Shanly?

Sir JOHN A. MACDONALD. No.

Mr. BLAKE. Then it is not intended to pay any awards before next Session?

Sir JOHN A. MACDONALD. There are no means voted to pay, and after this conversation I take it there can be no warrant.

Mr. MACKENZIE. I have witnessed cases in which money has been paid on Mr. Shanly's recommendation already. Mr. Girouard's claim was paid by special warrant.

Mr. BLAKE. But my hon. friend will see that that is exceptional. Mr. Girouard is a member of Parliament.

Sir JOHN A. MACDONALD. I think that very fact might induce the hon. gentleman to wait for a full discussion of the matter.

Mr. MACKENZIE. What is the intention of the Government with regard to the capital account on the Intercolonial Railway? I think the cost of these flour sheds, elevators and similar works, after the completion of the railway, should be charged not to capital, but to revenue.

Sir LEONARD TILLEY. The Government have not so regarded them. We have thought it fair to charge the cost of wharves and important stations, buildings, for instance, to capital.

Mr. MACKENZIE. I am very sorry that is the decision of the Government, because we shall never know what the railway earns or costs. I think the ground the late Govern-

ment took was the correct ground, that after the road was fairly finished for business, everything should be charged to revenue. I think it is a great mistake to be accumulating the debt of the country in this indirect manner, and in opposition, in my opinion, to all sound principle.

73. Construction of wharf and elevator, Halifax terminus.....\$130,000 00

Sir RICHARD J. CARTWRIGHT. What is the amount required for wharfage, and what for the elevator, and what is the purpose sought to be attained by this vote?

Mr. POPE (Compton). The object of this vote is to induce, if possible, the shipping of grain from Halifax. The amount for the elevator, which will have 250,000 bushels capacity, is estimated at 20 cents a bushel or \$50,000; the foundation for the elevator is estimated to cost \$10,000, and the wharf \$70,000, or a total of \$130,000. My hon. friend will admit that, so far as this item is concerned, it ought to be charged to capital account. The elevator is really necessary to develop the grain shipment trade of Halifax. The experiment as made this year in shipping grain from that port was not on a scale sufficient to establish what the result will be. Owing to the improvement in distance and the decrease in expenditure of running the road, we are confident that next year it will pay expenses. The development of this trade is of the utmost importance.

Mr. MACKENZIE. What are the results of the experiment of last year?

Mr. POPE (Compton). As far as it went it was a success. It was not carried on extensively because the season was not propitious on account of the heavy snows.

Mr. MACKENZIE. Can the hon. gentleman tell us the amount of expenditure and other items? What did each train cost?

Mr. POPE (Compton). In itself the freight would not amount to very much, but it is of the utmost importance we should get all the traffic we can. We are obliged to have the engines and extra freight can be drawn at a low rate. We must reach out in every direction for trade, and this is one among others.

Sir RICHARD J. CARTWRIGHT. What is the freight per bushel?

Mr. POPE (Compton). Thirty cents per quarter.

Mr. ANGLIN. There is no doubt we should do everything in our power to procure freight for the Intercolonial, and we ought to use the Intercolonial in such a way as to promote the trade of our frontier ports, and encourage trade through Halifax. People may find it difficult in the infancy of trade to make all the necessary provisions to start an enterprise, but the Government in such cases, may take up the project if they can satisfy the people there is a fair prospect of success. I trust that next year the hon. Minister will be able to congratulate the House on the success of the speculation, and should it prove successful, the people of St. John will expect like treatment.

Resolution 72, ordered to be reported.

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

AFTER RECESS.

THIRD READINGS.

The following Bills were read the third time and passed:—

Bill (No. 18) to amend the Act incorporating the Souris and Rocky Mountain Railway Company.—(Mr. Boulton.)

Bill (No. 41) to incorporate the Hull Mines Railway Company.—(Mr. Cameron, Huron.)

## BILL INTRODUCED.

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

Bill (No. 87) respecting Naturalization and Aliens (from the Senate).—(Mr. Langevin.)

## THE CREDIT FONCIER OF THE DOMINION.

Mr. IVES moved the third reading of Bill (No. 32) to incorporate the Credit Foncier of the Dominion of Canada.

Mr. McCUAIG moved in amendment:—

That the Bill be not now read a third time, but be referred back to the Committee of the Whole with instructions to strike out from clause 60 the words: "Except in the provinces and territories west of the Province of Ontario, where interest at the rate of 7 per cent. may be charged;" and from sub-section 3 of the 61st clause, the words "Except in the provinces and territories west of the Province of Ontario, where it shall not exceed 7 per cent. per annum in all."

He said: I cannot see why the rate of 6 per cent. should be limited to the older Provinces, including Quebec and Ontario, and 7 per cent. charged in the North-West Territory. I think the people of those Territories are not as able as the people of Quebec and Ontario, to pay even 6 per cent., and I do not see why an exception should be made to their injury. I am afraid if 7 per cent. be allowed, and the probabilities are, that large sums will be taken from the older Provinces and invested in wild lands in the North-West, which the Bill permits. Thus large blocks of land would be taken up and held for years, as were the lands of the Canada Company in Ontario, in a manner injurious to the country.

Mr. IVES. The Bill fixes the rate of interest at 6 per cent. in the older Provinces of the Dominion. The Committee amended the original Bill by making a distinction as regards the region west of Ontario, for this reason: Several members had said, and more particularly the representatives of those western Provinces, that there was a very great fear that if any less rate than 7 per cent. were fixed, those Provinces would not be able to receive the advantage of the measure, because it is well known that loans in this new country must be attended with much larger risks than loans in the older Provinces, and the expenses of management and valuation must also be much larger than those in the older Provinces; that, in fact, if the Bill passed amended, as proposed by the member for Prince Edward County, the result would be that the newer Provinces would not receive the benefits of the measure at all. I have been informed by the member for Provencher (Mr. Royal) that the lowest rate charged in Manitoba upon the very best of real estate is 9 per cent., whereas the rate fixed by the Bill is but 7 per cent. I fear there will be very little money invested by this company in Manitoba or the North-West Territories, unless the clause, as amended by the Committee, be passed. I had supposed, from the remarks of the mover of this amendment, last Session, in the discussion of Mr. Orton's Bill, that he was very much in favor of cheap money and cheap interest; but I was surprised to find him strenuously opposing this Bill all through its stages. It looks very much as if the present amendment were directed with the object of preventing the investment of capital in the North-West Territory. As to the fear of the company acquiring large amounts of land in the North-West, it is impracticable. They cannot hold lands except for the purpose of their offices—they can hold only a limited amount in any place. The House will do well not to accept this amendment.

Mr. BUNSTER. Will this extra one per cent. for the North-West cover the exchange between the eastern and western Provinces? I presume that is its intention.

Mr. IVES. The total cost under the Bill to the person borrowing in British Columbia would be 7 per cent., Mr. ANGLIN.

and the company would be obliged to pay their own exchange.

Amendment negatived on division.

Mr. COURSOL moved in amendment:—

That the Bill be not now read the third time, but that it be read the third time this day six months.

He said: When this Bill was discussed in Committee I urged that it was an unconstitutional measure, inasmuch as it encroached upon the powers of the Local Legislature, and I quoted from the speech of Lord Carnarvon in the House of Lords, and cited the opinion of Chief Justice Dorion in support of that view. I am convinced that although this Bill may pass, the day will come when the protection which I have endeavored to invoke in behalf of the Provincial Legislature will be recognised. I wish to read the words of the British North America Act, which bears upon this question. Speaking of the powers to be exercised by the Local Legislatures, it says:

"In each Province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say:

- "11. The incorporation of companies with provincial objects.
- "12. The solemnization of marriage in the Province.
- "13. Property and civil rights in the Province."

It will not, I think, be contended for a moment that there is nothing in this Bill affecting property and civil rights, and it is equally clear that matters of that kind come within the powers of the Local Legislatures. The very name of the Bill indicates that it is based on mortgages, and those mortgages will, of course, be upon lands in the different Provinces. To me it is perfectly clear that the Bill interferes with the rights of the Provinces; indeed, I have not heard anything advanced in the debate in the direction of proving that this is not the case. I may say *en passant* that I am moved by no feeling of hostility to the measure; on the contrary, I have stated that I regard with pleasure the multiplication of these landed companies, as they will prove of benefit to the people. But as a member of this House I am bound, to the best of my ability, to act as a guardian of those powers which the Confederation Act conferred upon the respective legislative bodies of this Dominion. I know that no longer ago than yesterday it was stated in a Court of Justice by a gentleman whose reputation as a barrister, statesman and orator is known all over this land, that the powers of the Local Legislatures were very small. That may be, but whatever those powers may be—whether they are small or great—it is our duty to respect them. The granting of these powers was one of the purposes of the Confederation Act; and what would be the use of conferring those powers if they are not to be exercised, if they are to be interfered with on every occasion; any legislation which is passed contrary to the provisions of the Imperial Act, either by this Parliament or by any of the Local Legislatures can have no form or effect, and is liable to be annulled. As there are some hon. gentlemen present who were not in the House when the Bill was discussed in Committee, I shall read again an extract from the judgment of Sir A. A. Dorion upon a case relating to the liquidation of a building company:

"The judgment has been rendered and the appeal taken since the passing of these two Statutes, and since the proceedings of the society to wind up their affairs have been ratified by the Quebec Legislature. We cannot agree with the Court below that the Dominion Parliament had the right to pass the Act 24 Vict., Chap. 48. This Act is not in the nature of an insolvency law, for it is intended to apply to all building societies, whether solvent or not. It is, therefore, essentially an Act affecting civil rights, which, under the provisions of the British North America Act, 1867, comes within the exclusive jurisdiction of the Local or Provincial Legislatures."

Now, the object of this Bill is to empower a company to borrow and loan money to buy bonds and do a general financial business of that kind. It is to have the right to loan money on real estate. The laws relating to mortgages

are subject to the laws relating to the lands of a Province, and it would be idle to say that this Parliament had the power to authorize a joint stock company to borrow money and to mortgage the property in one of the Provinces without the consent of that Province. A private individual may do so; he may place his funds in any Province, buy real estate and accept mortgages as a private individual. That is his right as a citizen of the Dominion. But this Parliament has no right to incorporate a number of individuals, with power to mortgage and accept mortgages on real estates in the several Provinces. It may be said that this question does not affect the country at large. It may be said that it is in the interests of the people that societies should be incorporated, composed of capitalists in Europe or in this country, with power to borrow and lend on real estates, and to do all kinds of business except the banking business. I admit the conveniences that such a society would bring us, but can we legally incorporate it? I am surprised to see the *Credit Foncier Franco-Canadien* come before this House at all. It is all very well for the promoter of this Bill to claim the same privilege here that he can have in the Local Legislatures. But let him go to the Legislatures of the several Provinces, and he will get the same powers that he asks here and will not be violating the Constitution. I have made these few remarks with the full conviction that I am right. If this House is going to put on the Statute-book an Act that will violate the terms of the Confederation Act, and encroach upon the powers of the Local Legislatures, then it will no longer be necessary for any one to go to the Local Legislatures to obtain a charter. By coming to this House they can obtain all the privileges which any Local Legislature can give them. I say if we are to adopt this principle let it be known, and let the Confederation Act be torn to pieces, for in that case it will not be worth the paper on which it is written. I say we have no right to pass this Bill; we have no right to erase a word of the Federal Constitution without the sanction of the Local Legislatures. I shall leave the matter in the hands of the House and abide by its decision.

Mr. OUIMET. This is a very complicated question, and I think it deserves some attention from this House. Especially does it deserve some treatment from the authorities in this House. For my own part, I have strong doubts upon the matter. Although I think this Parliament has authority to incorporate a company like this, with power to raise money in foreign markets, to issue debentures, to lend money throughout the Dominion, I think it is not so clear that we may empower this company to lend money on mortgages and then to sell these mortgages, and thus make them permanent in other countries. It is worth while to discuss the question whether the creation of societies of this kind should not be left entirely to the Local Legislatures. Of course, it is decided that we have a right to incorporate this company with larger powers that can only be conferred by this House. We might say at the same time that we can confer minor powers upon it, giving it authority to lend money on mortgages, and thus legislate within the jurisdiction of the Provinces. As for myself, not being ready to discuss such a complicated question, and not being responsible for the decisions of this House on such important matters, I would be happy to hear the opinions of the authorities of the House upon this matter.

Sir JOHN A. MACDONALD. So far as I understand the competency of this Parliament to pass this Act, I have no doubt about it myself in the world. I think it is a great advantage that we should have as many companies lending money as possible. The more money that comes in the greater will be the reduction of interest. We all know that in consequence of the number of loan and trust companies that have been established, the rate of interest has fallen

gradually from ten per cent., till now the companies are very glad to lend at six per cent. The more we have the better. I am especially glad to see that Canada stands so well in the world, and that French capitalists are induced to invest their money in this country. I think it would be a great mistake if by any Act of this Legislature we should check the current of French capital coming this way. When we have investments from France and Germany we have thereby increased intercourse and increased commerce with them. It also increases our chances of emigration from those countries. I really do hope that all these institutions will be encouraged as much as possible. The names I know in this company are first-class, and I have no doubt some of the corporators are themselves connected with the Pacific Syndicate, and I know that they will assist greatly in distributing money in the North-West, and thus assist in the development of that country. I hope that this measure will get the support of this House.

Mr. BLAKE. The considerations to which the hon. gentleman has latterly alluded, however important they are as to the expediency of this measure, do not at all touch the question to which the hon. member for Montreal (Mr. Coursol) and the hon. member for Laval (Mr. Ouimet) have directed their attention. I intend to vote against the motion of the hon. member for Montreal, and I wish to say in a word why I entertain very considerable doubt as to many of the provisions of this Bill being within the competence of this Parliament. But that question was raised and decided, as far as this Legislature could decide it, adversely to that view many years ago, when it legislated in regard to building societies. Since that time we have proceeded in an unvarying course by assuming this power. We have on the Statute-book a general Act containing a series of clauses for the formation of loan companies for the purpose of lending money on real estate. We have acted invariably for many years on the assumption that we had this power, and I believe it is the proper course for us until there shall be a decision of the Supreme Court, at all events, to continue to assume that we have that power upon which we have been acting, and on the faith of which we have granted many charters.

Mr. McCUAIG. Will not the expression of doubt affect the ability of the company to raise money in France and England?

Sir JOHN A. MACDONALD. They apply for the Bill, and if they cannot raise money, that is the end of it.

Mr. MACDOUGALL. I do not intend to support the motion of the hon. member for Montreal (Mr. Coursol). I did not hear the opening portion of his remarks, but I understand the question he has raised. While I agree, as regards one or two of the clauses of the Bill, with the doubt expressed by the hon. member for West Durham (Mr. Blake), yet it seems to me that inasmuch as this Parliament has exclusive jurisdiction and power over the subject of interest, and this is a company for the purpose of lending money for the interest which is to be earned by the loan, the House has authority to deal with the whole subject. Of course, if the Bill is not constitutional, the question may be determined by the courts of law, and I have no doubt it will be raised if legal gentlemen advise that such a doubt deserves consideration. But the powers of the two legislative bodies will be found to be thus distributed: With respect to the incidents and conditions of the mortgage they will be found to be regulated by local laws. As to the manner in which the mortgage has to be drawn up for registration, and the effect of its various provisions, the company must submit in each Province to local laws: But without respect to the power of the corporation to carry on business over the whole Dominion, and as to its being a corporate body having a corporate existence, it will stand in the same position as

individuals who should make contracts in the United States or France; the company would enforce their agreements according to the laws of the country or Province in which they were made—the *lex loci contractus*—wherever that might happen to be. I feel no apprehension or doubt as to the competency of the Dominion Parliament to pass an Act of incorporation of the kind, except in respect to two or three clauses that might be omitted. The hon. member made a reference with respect to my desiring to diminish the powers of Local Legislatures. No man will stand up more firmly for the true constitutional and legal powers and functions of Local Legislatures than I will do; but while that is my feeling I am not disposed to grant them more than the Constitution gives them.

Mr. PLUMB. I have endeavored, during the short time I have been in Parliament, to advocate a uniform system for Bills of this character. This Bill is at variance with such a proposal, and I have on that ground some objection to it; but I have no objection to it on the ground stated by the hon. member for Montreal (Mr. Coursol), inasmuch as the Committee decided it was desirable to open an avenue for the introduction of foreign capital from a different quarter to any from which we have yet received supplies. I am very willing to allow the experiment to be tried. It was objectionable to have the time of the Committee taken up with passing a set of laws and special clauses which has not been contained in any Bill which has passed through the Committee since I have been a member of the House. I have no doubt whatever that the Dominion Parliament is perfectly competent to pass laws for the establishment of institutions of this kind for general purposes. I am aware, from my personal knowledge, that these loan companies have largely reduced the rate of interest in Canada, and that from the introduction of foreign capital through the intervention of those companies, interest has fallen from eight, nine or ten per cent. to six per cent., and we can do nothing that will further the interest of borrowers more than, within reasonable limits, granting charters of this kind. I do not think this particular kind of legislation, in respect to this Bill, should establish a general precedent, and while I will vote for the adoption of the measure, I wish to be distinctly understood, that in my opinion we should not encumber our Statute-book with this kind of legislation which, for some reason best known to promoters, they desire to obtain. It is objected to in many ways, not as a matter of principle, but as a matter of detail.

Mr. CAMERON (Victoria). I merely rise to say that, as a member of this Parliament, I doubt whether any of the hon. gentlemen who have spoken in opposition to the amendment of the hon. member for Montreal (Mr. Coursol) have placed the claims and rights of this Parliament sufficiently high. If we are seized of the subject-matter over which we are legislating, it has always seemed to me that we are seized of the power to legislate on all matters necessarily incident to that subject-matter. I am not prepared to concede that we have to render our legislation here subject or subservient to limitations which may be imposed by the several Provinces in respect to that subject. If we are seized of the power of incorporating companies for the purpose of lending money all over the Dominion, it has always appeared to me that we are seized of the power of giving companies so incorporated all incidents necessary to the exercise of the power given them. The granting of the greater power carries with it, I think, all the lesser powers necessary to the exercise of it. I do not think we are doing right by minimizing the power of Parliament as to debates any more than if we minimized its power as to its general jurisdiction. For these reasons I feel it my duty to vote against the amendment of the hon. member for Montreal, while I would be most reluctant to trench on the powers of

Mr. MACDOUGALL.

Local Legislatures or take from them any power properly given to them under the Confederation Act.

Amendment negatived on division.

Bill read the third time and passed.

#### CREDIT FONCIER FRANCO-CANADIEN.

Mr. GIROUARD (Jacques Cartier), moved the third reading of Bill (No. 31) to enlarge and extend the powers of the *Crédit Foncier Franco-Canadien*.

Mr. IVES. With reference to the question as to the powers of Parliament to pass this Act, it strikes me that the very strongest position has not yet been taken. My hon. friend from Montreal (Mr. Coursol) based his argument on the statement that this is a matter of property and civil rights in the Provinces; but I claim that this Bill in no way deals with property or civil rights in the Provinces. It is simply an Act to incorporate an association of gentlemen and to give them a limited liability, to act as a corporation for lending money within the Provinces, subject to provincial laws. It is, in a word, to enable these gentlemen as a company to do what they might do as partners or as individuals; to give them power to do business throughout the whole Dominion, to incorporate a company having Dominion and not Provincial objects. That being the case, I ask what provision in this Bill affects property or civil rights. Does it change the law as to the form of mortgages, as to registration, as to the rights of married women, as to minors or children, as to foreclosure, or proceeding to obtain payment? Not at all. It makes no change in any of the laws relating to property or civil rights. The decision as to building societies, rendered by the Court of Appeal in Montreal, has no reference to this Bill; it was a decision that the Act of this Parliament which provided that the property of citizens of the Province of Quebec could not be wound up according to the provisions of that Act, was an interference with civil rights. I most cordially support the motion for the third reading of this Bill.

Bill read the third time and passed.

#### SUPREME COURT APPELLATE JURISDICTION.

Mr. GIROUARD (Jacques Cartier) moved the second reading of Bill (No. 51) to limit the appellate jurisdiction of the Supreme Court of Canada. He said: Mr. Speaker, of all our institutions I believe there is none which excites a deeper interest than those relating to the administration of justice. All classes of men admit that these subjects should be treated upon sound and reasonable principles, free from passion, sympathy and prejudice, and I hope that the broad and liberal spirit which characterized the debate some two or three weeks ago on the judiciary system of the Province of Quebec will also be exhibited on the present occasion. There is no doubt there exists a great deal of dissatisfaction over the Supreme Court, which, in consequence of its high functions, should be above reproach, not only as to its *personnel* but as to its constitution or jurisdiction. This dissatisfaction has manifested itself at almost every Session of Parliament, not only during the present Parliament, but also I may say since the existence of that Court. At every Session we have seen Bills, not of the limited character of the one I have the honor to present this evening, but to abolish the Court entirely. This dissatisfaction does not seem to be limited to one Province or one section of the Dominion. It seems to come from all quarters, except perhaps the Maritime Provinces where that Court supplies the place of a Provincial Court of Appeal. In my Province this dissatisfaction amounts almost to a public sentiment of distrust. We feel that a Court composed of only two Judges out of six who are familiar with our system of jurisprudence, and who have the knowledge of French, necessary to become familiar with those laws—we feel, I say, that a Court so

composed cannot give satisfaction to our population. We feel that decisions of our Provincial Courts by men regularly trained in the study and practice of our laws, cannot be fairly revised. Members of the Bar of Montreal, at a recent meeting, stated it was almost a slander on our laws, to say that members of the legal profession belonging to other Provinces were not in a position to understand those laws and expound their principles. I cannot accede to this opinion. To adhere to this opinion would be to reverse the policy of the statutory qualifications of Judges. A lawyer cannot be a Judge in our Province, unless he has been ten years standing at the Bar, and to be a member of that Bar it is not only necessary that he should pass through a certain course of classics, but it is also necessary to study those laws for three or four years. I have such a strong feeling, Mr. Speaker, on the subject, that I believe I would be unworthy of being a representative of the Province of Quebec if I did not call the special attention of this House to this important subject. I may say more, my conviction is so strong on the point that I feel almost determined to bring this Bill up every Session until redress is given to the Province of Quebec. The purpose of my Bill is not entirely to abolish the Court, as it has been the intention of other hon. members who have introduced Bills on the subject. I believe the Supreme Court is a necessary Court. It is an indispensable element to the working of our Federal system. I believe that it is necessary to establish a uniform jurisprudence in Constitutional questions. It is necessary there should be only one Court, and of course that must be established by the Federal or General Government. I believe also the Exchequer Court of Canada has rendered great service to the country in permitting citizens to bring suits against the Crown. I am not in a position to say as much, as far as the jurisdiction of the Court in election cases is concerned, although I must say election cases can hardly be referred to Provincial Courts. I have a very strong feeling in regard to entrusting our Judges with the power of determining election cases. I do not mean to say that we ought to go back to Parliamentary Committees. Far from it; but I believe we ought to have election Judges and that we should not entrust to ordinary Judges the decision of election cases, because nothing is more calculated to destroy the confidence of the public in the judiciary, Federal as well as provincial, as the decision of election cases by them. But beyond these Federal purposes and beyond these Federal objects, I believe that the Supreme Court is not only an injustice to my Province but also to other Provinces. To my Province, in consequence of the peculiar system of laws which prevails there, and to all Provinces, because in effect it places all provincial rights at the mercy of creatures of the central Government. We, the inhabitants of the Province of Quebec, cherish our laws; we have been brought up under them. We feel that our personal property and rights are perfectly safe under their operation. We are not willing to take the advice given the other evening by the hon. member for Halton, to change those laws for English laws or any other system of laws, although I may say we may borrow with great advantage from the other Provinces in matters of procedure. These laws our forefathers took with them from old France, not from the Provinces from which they migrated, but from the more polished centre of Paris, the *vicomté* and *prevosté* of Paris. They brought with them the *Coutume de Paris*, and all the laws of this great city suitable to a young colony. This *Coutume* survived the great revolution of 1793, and have been incorporated into the Code Napoleon, and in fact, into all the Codes of Europe, as being more apt to promote the progress and welfare of modern nations. These customs and laws our ancestors not only cherished, but also fought for on all occasions ever since this country fell to Great Britain by force of arms, on February 17th, 1763, a day which they

looked upon as fatal to their institutions, their language, their religion and their civil laws, but a day, owing to the liberal generosity of the conquerors, we have to regard as not so unfortunate after all, so much so that a century after that conquest, one of their great sons, Sir E. P. Taché, then at the head of the Government of this country, said that the last shot for British supremacy on the continent of America would be fired by a French-Canadian. Ten or fifteen years after the cession, too much zeal induced the British representatives to introduce the laws of England as well in civil as in criminal cases, and that was done without the sanction or authority of the Imperial Parliament, and was consequently illegal. The little colony of New France, which numbered then only about 60,000 inhabitants—small in numbers and in influence—as nearly all the educated men of the colony had returned to France—but strong in its just cause, protested against this innovation. They invoked the principle of the law of nations, which says that in the case of a ceded country the laws of the conqueror do not pass to that country. Finally they sent a petition to the King of England in which they said :

“La conservation de nos anciennes lois, coutumes et privilèges, dans leur entier, et qui ne peuvent être changées, ni altérées sans détruire et renverser entièrement nos titres et nos fortunes, est une grâce et un acte de justice que nous espérons de la bonté de sa majesté.”

We all know that the prayer of those French-Canadians was then granted, and the Quebec Act was passed, securing to the inhabitants of the Province of Quebec the enjoyment, not only of their religion, but also of their laws in civil matters; and Lord North, who introduced this Bill, then said :

“It has been thought better calculated to secure the happiness of the Canadians, and more beneficial for all who live in the country, that they should have the civil law of Canada, and not that of England.”

Another danger was in store for the civil laws of the Province of Quebec. The public mind was agitated at the time. A new Constitution became necessary. The two Provinces of Upper and Lower Canada were created, and another effort was made to substitute English law for the French civil law. But Lord Grenville then said, in the name of the Empire :

“It had been stated that the French inhabitants of Canada were so much attached to the prejudices of the Canadians, to their customs, laws and manners as to prefer them to the laws of England. He thought such an attachment, founded on reason, or something better than reason, in the best feelings of human heart.”

This noble language had its effect. The laws of the Province of Quebec were again saved. In 1828 a Bill was secretly introduced in the Imperial Parliament for the Union of the two Canadas. Messrs. Nelson and Papineau, at the request of the French inhabitants of Quebec, proceeded to England and presented an able memorial on the subject. Those patriots said :

“C'est un fait constant que non-seulement les lois qui régissent propriété et les droits civils dans les deux provinces, mais les coutumes, les habitudes, la religion et même les préjugés diffèrent essentiellement. Les habitants tiennent fortement à toutes ses choses, dont la jouissance leur a été solennellement garantie par la Grande Bretagne.”

We all know what followed. We are all familiar with the inflammatory debates which those French laws gave occasion to both at home and in this country, and which, with other dangerous elements, produced the unfortunate rebellion of 1837. In 1828 Mr. Huskisson said before the Imperial Parliament :

“Here in the midst of a wilderness flourishes the French feudal system and the custom of Paris of centuries ago.”

Fortunately there were in that Parliament gentlemen who were acquainted with our system of laws, and who were able to answer the hasty remarks of the hon. member. Mr. Labouchère said :

“He was a little alarmed, he would confess, at the manner in which the right hon. gentleman had spoken of the French system of laws; he had spoken of them as something barbarous, handed down from the middle

ages, and as entitled to little respect in present times. But, whatever the right hon. gentleman might think of the system, or whatever the system in itself might be, the French were warmly attached to it, and that was a reason why it should be regarded with due consideration for their opinions or prejudices. He was no lawyer, but he was told that the Custom of Paris was the mildest of all the systems of feudal law, and he knew that every class of the French population preferred it to any other whatever."

Sir James McIntosh said:

"Did the right hon. gentleman never hear of any other system of law in any other country than Canada, in which a jumble of obsolete usages was mixed up and confounded with modern subtleties, until the mind of the most acute men of the age, or of the nation—men who had passed, in a service of forty years, through every stage of its gradations—were driven to declare, that they felt totally unable to find their way through its labyrinths, and were compelled, by their doubts of what was law and what was not, to add, in a most ruinous degree, to the expenses of the suitor? This system has been called the Common Law, the 'wisdom of our ancestors,' and various other venerable names."

The next attack upon the French laws was at the time of Union in 1840. The report of Lord Durham, who declared them to be old "Carlarous laws" was not of a nature to quiet the aim of the Canadians, but again they relied on justness of their cause and the fair liberal spirit of the English people. A minority representation was first proposed for Lower Canada. Mr. Hume, at the time, said:

"It appears to me that a great injustice is about to be perpetrated against the French population of Lower Canada. The Bill violates the principle of equal justice promised by the noble lord to the two Colonies. It is intended to swamp the French population, by not giving them a fair share in the representation; for Upper Canada with 300,000 people, is to return as many representatives as Lower Canada with 600,000."

Then the principle of equality of representation for both Provinces was conceded, and in that way the civil laws of the French-Canadian people were saved. The Union was thus established, and it was under the *regime* of that Union that the laws of the Province of Quebec were condensed and codified, and the Bill providing for that codification was introduced by Sir George Etienne Cartier, in 1857. The work of codifying the law was entrusted to the ablest jurists in our Province—Mr. Justice Morin, Mr. Justice Day and Mr. Caron, the father of our worthy Minister of Militia. Many able lawyers, and, among them, Mr. Justice Ramsay contributed to this great work. In 1864 or 1865 the labor of the Commission was completed and the civil code was produced; and I think it is the greatest monument that could be erected to the memory of Sir George Etienne Cartier. This code was based on the Justinian Code and the Code Napoleon, the two great sources of the laws of the whole continent of Europe—Great Britain and Ireland excepted—the continent of South America and also a portion of this continent. I refer, so far as this continent is concerned, to the West Indies, Mexico, the State of Louisiana and the Province of Quebec. In 1866 Sir George Cartier presented the civil code to the Canadian Parliament, and in introducing the Bill, made, perhaps, one of the ablest speeches he ever delivered on the floor of Parliament. He said:

"The adoption of a complete and efficient civil code was the most pregnant source of national greatness. Look for instance, at the Roman Empire. None of the ancient nations had produced a more complete system of legislation. The conquering empire had passed away, but the code still lived. Not only did it still live, but it had been adopted by nations which in the days of barbarism had conquered the Empire. The wisdom of the ancient Romans had, so to speak, civilized their conqueror. Napoleon I. was the first man who, of all others, had realized in modern day the idea of an heroic conqueror of olden times, and he had bestowed upon his country a great and useful code, and his successors were compelled to adopt it, and almost the only change which had since been made in it was to change the name, by calling it the civil code of France, instead of the Code Napoleon. Napoleon had passed away, but the code still lived, and it governed the persons, the properties, and the every day actions of the people of France."

This speaker, this great statesman has also passed away, but his work has survived, and it will survive many Constitutions which this country may possess in the future. The civil code will live in the Province of Quebec as long as that Province exists. At the very time the Canadian Parliament was debating the civil code of Lower Canada, the system of government then prevailing was found to be no longer practicable. Upper

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Canada, with its growing population, was insisting upon representation by population. A conference was held in Quebec and a basis of Confederation was laid down. One point which attracted a great deal of attention on the part of the members of the conference was the judicial system of the different Provinces. According to the report of Mr. Gray on Confederation, this point was settled as follows:—

"The question of the judiciary was not so easily settled, and led to long and animated discussions. While it was admitted that the public interests would be best promoted by having the highest tribunals of the country deriving their authority from the highest source of power in the country, and that a uniform Bar extending throughout the whole would tend to its elevation, by the greater conflict of talent and the wider sphere of action, it was urged that until the laws were in some measure assimilated, the benefit with reference to the Bar would be more seeming than real. And with reference to the Bench, a vague dread of the overawing power of Canada led some of the delegates from the Maritime Provinces to fear that the courts of their Provinces might be filled with judges who were strangers to their laws, and whose traditions were with other lands. The representatives from Lower Canada at once put their Province beyond the pale of consideration. Their jurisprudence was governed by the civil law and admitted no uniformity with the codes of the other Provinces."

In the speech pronounced by the hon. member for Three Rivers, to-day Minister of Public Works, we find these words:

"We have, at the present time, as many systems of judicature as we have Provinces; with Confederation, on the contrary, this defect will be removed and there will be but two systems—one for Lower Canada, because our laws are different from those of the other Provinces, because we are a separate people, and because we do not choose to have the laws of the other populations and the other for the remainder of the Confederation."

The Confederation Act was agreed upon in that conference. It was sent to the British Parliament for adoption, and there we find a similar remark made by Lord Carnarvon in introducing the Bill to the House of Lords. He said:

"Lower Canada, too, is jealous, as she is deservedly proud of her ancestral customs and traditions; she is wedded to her peculiar institutions and will enter this union only upon the distinct understanding that she retains them. 42nd article of the Treaty of Capitulation in 1760, when Canada was ceded by the Marquis de Vaudreuil to General Amherst, runs thus:

"Les Français et Canadiens continueront d'être gouvernés suivant la Coutume de Paris et les lois et usages établis pour ce pays."

"The Coutume de Paris is still the accepted basis of their civil code, and their national institutions have been alike respected by their fellow subjects and cherished by themselves. And it is with these feelings and on these terms that Lower Canada now consents to enter the Confederation."

Now, let us see what the British North America Act says. In section forty-nine we find a provision for the uniformity of the laws of the different Provinces of the Dominion; but there is an exception made in favor of Quebec. This Parliament may enact laws for the uniformity of the Provincial laws, but in order to have provision of this kind made for Quebec we must address ourselves to the Imperial Parliament. Section ninety-four says:

"Notwithstanding anything in this Act, the Parliament of Canada may make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and of the procedure of all or any of the Courts in those three Provinces, and from and after the passing of any Act in that behalf the power of the Parliament of Canada to make laws in relation to any matter comprised in any such Act, shall, notwithstanding anything in this Act, be unrestricted; but any Act of the Parliament of Canada making provision for such uniformity shall not have effect in any Province unless and until it is adopted and enacted as law, by the Legislature thereof."

So we see there is a provision for the uniformity of the laws of all the Provinces where the principles of the same common law prevail. Sections 97 and 98, providing for the appointment of Judges, says:

"Until the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and the procedure of the Courts in those Provinces, are made uniform, the Judges of the Courts of those Provinces appointed by the Governor General shall be selected from the respective Bars of these Provinces."

"The Judges of the Courts of Quebec shall be selected from the Bar of that Province."

This section says that the Judges of the Courts in Quebec shall be selected from the Bar of that Province, but the

Judges in the other Provinces may be selected anywhere immediately after the uniformity in the laws is established. In section 92, paragraph 14, we find a provision respecting Provincial Courts, stating that the Provincial Legislature shall exclusively have jurisdiction over the administration of justice in the Province, including the constitution, maintenance, and organization of Provincial Courts, both civil and criminal. I mention all these enactments of our Constitution, because they will have great importance when we come to consider the existing power of the Supreme Court, which is not only a Federal Court but a Provincial Court. Finally we find at section 101 a permission to this Parliament of establishing a General Court in Canada :

"The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance, and organization of a General Court for Canada, and for the establishment of any additional Courts for the better administration of the laws of Canada."

It seems to me that it is more than doubtful that this Parliament had a right to establish a Provincial Court of Appeal. The provision is to the effect that we shall have a right to establish a General Court of Appeal for Canada. We have made it general for the Dominion, and we have also made it a General Court of Appeal for the Provinces. We have made it a Court of Appeal for the Province of Quebec, contrary to the provision which I read a few moments ago, which says that Provincial Courts shall be established by Provincial Legislatures. This is to me apparent, when we read the last words of the same clause, providing for the establishment of any additional Court, which would seem to be in the same spirit and sense, that is to say, for the better administration of the laws of Canada, not for the administration of the laws of the Provinces; not for the administration or interpretation of property and civil right, or provincial rights. As I said in opening, I contend the Supreme Court is a necessity in constitutional cases, and that was also noticed at the time of the discussion of the Confederation Act before the Imperial Parliament. The following is from the English *Hansard* :

"Mr. E. W. T. HAMILTON said, he wished to know how a conflict of jurisdiction between the Parliament of Canada and the Provincial Legislatures was to be settled?"

"Mr. ADDERLEY said, he did not think that any serious conflict of the kind anticipated by the hon. member could take place so long as a supreme power vested in the Governor General to veto Acts.

Mr. ROEBUCK said that the framers of the American Constitution foresaw this difficulty, and provided a Supreme Court, whose province it was to decide whether even the laws passed by Congress were illegal. This Bill, however, seemed a lopsided one, and contained no provision to prevent the passing hereafter of laws which might be unconstitutional. In other words, the Canadian Parliament would be supreme. Supposing the Governor General and the Parliament of Canada were to pass a law that the Municipal Constitution of Nova Scotia was in contravention of this very Act, who was to decide whether they were right or wrong?"

So at the very time of the debate on the Confederation Act before the Imperial Parliament, the necessity of a Supreme Court was anticipated, to decide constitutional questions; to decide whether the Federal Parliament is encroaching on the rights of the Provinces, or whether the Provinces are exceeding their powers. Notwithstanding the power granted to this Parliament to establish a general Court for Canada, or other additional Courts for the better administration of the laws of Canada, we were from 1867 to 1875 without such Court. Constitutional questions were however raised before Provincial Courts, and of course they were decided by those Courts, and the danger connected with those decisions was a want of uniformity, as the Judges of one Province might decide one way and the Judges of another Province might decide another way. However, I might say that an appeal to the Privy Council might establish a uniform decision on any constitutional question. At various times efforts were made in this Parliament, under the leadership of the present First Minister, to establish a Supreme Court; but those efforts were in vain. A Bill was prepared which was attributed, wrongly or rightly I do

not know, to Mr. Justice Strong for the establishment of that Court; and there is one important feature to notice in that Bill, and it is this: It did not propose to create and provide a general Court of Appeal for all the Provinces, but only a Federal or constitutional Court. That Bill intended to establish and create a Court upon the principle of the Supreme Court of the United States, for the sole purpose of determining Federal rights, and for the purpose of carrying into effect Federal laws. However, nothing was done until 1875. At that time hon. gentlemen opposite were in power. Mr. Justice Fournier was Minister of Justice, and a Bill was presented which was the one finally adopted and which is the law to-day. There was a long debate as to the constitution of that Court. The question of the jurisdiction of Parliament to create such a Court of Appeal was raised and ably argued by Mr. E. Taschereau, now one of the learned Judges of the Supreme Court. The question of submitting Provincial rights to the decision of a Federal Court was also raised and ably defended, among others, by the hon. member for Bothwell (Mr. Mills). I will quote only two speeches of hon. members who spoke on that occasion to show what was the feeling on that occasion. Mr. Mills said :

"It seemed to him that this expression 'a general Court of Appeal for Canada' meant a Court of Appeal having cognizance of questions arising under the legislation of this Parliament and not on any question that might arise under the jurisdiction of any one of the Provinces."

Mr. Taschereau said :

"In a word, they have their good old French laws which had been secured to us by solemn treaties, laws of which they were so proud, and under which their forefathers had lived so happy, and he might add, so loyal, under the protection of the British Crown. All these laws had a few years ago been codified by the most eminent jurists of their Province, and at the present time their two Codes of Civil Law and of Civil Procedure could well bear the comparison with the French modern Napoleon Codes. The English speaking citizens of Lower Canada had long been accustomed to see the civil rights governed by these laws, they had learned to admire and cherish them, and they were now perhaps as firmly attached to them as the French Canadian population was. In fact he hoped to see the day when all their sister Provinces, seeing the perfectness of their codes, would adopt them as their laws of the land. But the more they were attached to their dear old laws, to their own legal machinery, so different, so widely different from the system of the other Provinces, the more they were inclined to see a danger in all innovations proposed, in all new jurisdictions which were intended to be established, and he thought he was not going too far when he said that when a Supreme Tribunal of Appeal was proposed to be created outside their Province, composed of Judges, the great majority of whom would be unfamiliar with the civil laws of Quebec, which tribunal would be called upon to revise and would have the power to reverse the decisions of all their Quebec Courts, there was, for them at least, cause for alarm, if not a danger, a great danger to be apprehended."

All Judges in the Superior Court and in the Court of Appeals in the Province of Quebec must be taken from the Quebec Bar. But the Judges who construe our civil laws finally, are taken not from our Bar, but the Bars of other Provinces. Not only are three or four of those Judges not familiar with our laws, but two or three at least are not acquainted with our language, a knowledge of which is necessary to become familiar with those laws. It is said that there is no proof of this. It needs no proof, for it is a matter of public notoriety. But we have even proof of the fact. In the Charlevoix and Jacques Cartier election cases, the learned Judges ordered the evidence—from the first page to the last of an immense volume of 400 pages of printed matter—to be translated. This state of things is more dangerous and alarming than were any former attacks on our civil law. Our system of laws will soon resemble neither that of England nor that of France; it will be a monstrosity. We love our laws because we have been in the habit of living under their protection. This love may be only a sentiment, but the world is governed by sentiment. Sentiment is to be found everywhere, on the throne, in society, in families, and I have no doubt in this Parliament. What would become of life if it was not sometimes sentimental. This sentiment of love on the part of French-Canadians for their laws, is of good order and of high morality. It is, as Lord Granville has stated,

one of the noblest sentiments, and if the cause I am advocating had no other foundation, it would command the respect and admiration of this House and of this country. The inhabitants of the Province of Quebec expect that the sons of Great Britain will not be less generous, not less fair and just, than their forefathers were in 1774, 1792, 1828, 1840, or 1867, and that they will respect this sentiment. But our opposition to the Supreme Court is not only a matter of sentiment, it is also a matter of business, founded on reason and common sense. We feel that our property and civil rights are not safe in the hands of men who not only do not understand them, but who are not even in a position to learn them. Strangers seeking for investments in our Province have expressed a fear that rights, which we have secured under the ablest advice in our Province, are in danger when they are placed in the hands of men more or less ignorant of our laws. It has been said that the Privy Council presents the same objections as the Supreme Court, and yet that we in the Province of Quebec have more admiration for the Privy Council than the Supreme Court. I for one would be satisfied with our Provincial Courts, and would be pleased to see appeal to the Privy Council as a statutory right abolished. Of course I am not speaking of the prerogative belonging to Her Majesty of hearing any appeal she pleases. But there is a great difference between the constitution of the Privy Council and that of the Supreme Court. I have not the latest statistics of the Privy Council; but I find by a return to the House of Commons on the 8th August, 1840, that there were pending on the 15th February, 1837, 165 appeals from the different colonial possessions of Great Britain, and of those 165, no less than 115 were appeals from Colonial Courts, in which English jurisprudence did not prevail, and consequently those 115 appeals had to be decided according to the *coutume* of Paris, the Code Civil, the Roman Dutch Law, or the Law of Trinidad; and in the appeals lodged since that period, more than one-half involved the application of one or the other of those systems of foreign jurisprudence. I have before me a statement of the appeals from the Province of Quebec both to the Supreme Court and to the Privy Council, and what do we find? The number of appeals effectually prosecuted and adjudged upon from 1876 inclusive to 1881, was, in the Privy Council twenty three, in the Supreme Court eighteen; the number of appeals effectually prosecuted and still pending, or the decision of which has not been communicated to this office, was, in the Privy Council four, in the Supreme Court twenty; the number of appeals abandoned before the transmission of the case or printed record was, in the Privy Council seventeen, in the Supreme Court fourteen; the number of appeals lately granted and not yet fortified was, in the Privy Council one, in Supreme Court none. The total number was, in the Privy Council forty-five, in the Supreme Court fifty-two. This statement is not one which I have prepared myself. It is the official statement which bears the signature, "Certified, L. W. Marchand, Clerk of Appeals."

Mr. McDONALD (Picton). Has my hon. friend got the annual returns?

Mr. GIROUARD. These are the official returns for the four years. Canada is the only country ruled by a federal system where such a Court as the Supreme Court has any existence. Take old France before the Revolution. It was then divided into several Provinces governed by different systems of law: in the south by the written law of Rome, and in the north by the custom. Do we find a general court of appeals for all those Provinces? No; we find that for centuries there, there was only one appeal, but it was an appeal to the Parliament of each Province. Take the case of Great Britain which has been referred to, very unfortunately, in my humble opinion, by some lawyers of

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the Montreal Bar. The three countries composing Great Britain are governed by different systems of law, Scotland especially being ruled by almost the same principles of law as those which prevail in the Province of Quebec. In 1707 when Scotland entered the Union she stipulated, like Quebec, that her local laws should remain intact. In 1867 or 1868 a Judiciary Commission was appointed by the Imperial Government with the view of providing for a better administration of justice. This Commission reported in favor of a Supreme Court, which was to have original as well as appellate jurisdiction. Legislation was attempted in 1870 in the sense of that report, but the attempt was in vain. In 1873 another attempt was made. A Bill was introduced by Lord Selborne, but it was not to include Scotland and Ireland, because, said Lord Selborne, these countries have separate judications of their own. However, this Bill was not to take effect until after a certain period. In the meantime it was thought necessary to amend the Bill, so as to include Scotland and Ireland in it. In 1875 a Bill to that effect was introduced. In the House of Lords, Lord O'Hagan, Lord Moncreiff, the Duke of Buccleuch, Lord Redesdale and Lord Penzance raised strong opposition, and made appeals even to the feeling of the people of Scotland and Ireland, who, they stated, were opposed to that court. The *London Times* of the 4th March, 1875, stated that the opposition of the Scotch noblemen was an expression of opinion not only of the Scotch peerage, but of the legal profession in Scotland, and of what was alleged to be the national sentiment of the country. The opposition was so strong that the Bill had to be withdrawn, and it is very remarkable to notice the terms in which the *London Times* announced its withdrawal:

"The statement made by the Lord Chancellor yesterday evening, must have been a surprise even to those privileged few who had been made aware that something was coming. The Judicature Bill is withdrawn. We can hardly expect that this news will be immediately believed, yet it is true. A Government in the plenitude of its power has succumbed to side attacks, the strength of which had been in no way ascertained, and it has thus yielded, though backed by almost the whole Opposition."

And why did a strong Government, backed as it was by the Opposition of the day, so yield? It was in consequence of the strong sentiment of the Scotch and Irish people. What was finally the result of this strong opposition? In 1876, instead of abolishing the appellate jurisdiction of the House of Lords, where the Scotch and Irish appeals are brought and decided by Scotch and Irish Peers, as the case may be, a Bill was introduced by the Government re-affirming and re-constituting that jurisdiction. When we see such an expression of feeling on the part of a population so loyal as the people of Scotland, are we to be surprised at the indignation which exists in the Province of Quebec with regard to the establishment of our Supreme Court? Let us take the example of another country—a country where popular liberties are considered as being of some value, the United State of America. Is the Supreme Court of the United States, a Federal or a State Court, or both? Is it a Court which is equally open to decide State rights and to administer State laws? No, Sir. They considered that the establishment of such a Court would be sapping Confederation in its very basis. It would be to deny State rights. The consequence was that by Art. 3 of the Constitution of the United States, the Supreme Court is only a Court to administer Federal laws or to decide cases between citizens of different States. I am approaching another feature of the subject—that is, provincial rights, the autonomy of the Provinces. It cannot be denied that Confederation was resorted to as a scheme to secure the Provinces the control of their local rights, laws and institutions. If you give the Supreme Court jurisdiction over those rights, you cannot say that the purpose of Confederation is obtained. The tendency of power is to usurp power—of great countries, to absorb smaller, and especially if the smaller Principalities or Governments are to be considered

in the light of municipalities, as some jurists are pleased to call our Local Parliaments or Governments. This Parliament itself is not an exemption to the rule. How often has it encroached upon the rights of Provincial Legislatures, although acting in the most perfect good faith. Men are the same everywhere; even when sitting on the Bench of the Supreme Court, they may be influenced by the Government which surrounds them. This is a great danger to Confederation—a danger which was evaded by the framers of the American Constitution; and I only wish to-day that the Constitution of the Supreme Court, as proposed by Justice Strong, had been adopted by this Parliament. If the principle of Provincial rights be not safe, I am very much afraid our Provinces will become dissatisfied with our general Government; I fear, indeed, for the future of this Confederation—for we do not know what the future has in store for us—and, perhaps, for the permanency of British institutions on this continent. Let us keep good faith with the Provinces; let us maintain them in the full enjoyment of their Provincial rights, and harmony and satisfaction will prevail everywhere. With regard to the Montreal Bar, its meeting was called at very short notice, forty-eight hours. Its members are found scattered over a large district at distances of thirty, forty or fifty miles. At that meeting the advisability of limiting the jurisdiction of the Supreme Court, in the sense of this Bill, was discussed, when the division stood—against the Bill, 41; for it, 24. Now, there are 200 practising members in the city and district of Montreal; and we know there are in this House fourteen or fifteen members of that Bar who were not present at that meeting. The vote they will give will show whether they are on the side of the minority or the majority. It is evident, therefore, that this majority of fourteen or fifteen votes at Montreal, cannot fairly be considered as representing the opinion of its Bar. But even if it was a fair expression of the opinion of that Bar, what would be the consequence? Are we not in as good a position, laymen of this House as well as members of the legal profession, to decide this question as to the lawyers of Montreal? Is it a question of jurisprudence or law? No; it is a question of policy. It may indeed be said that lawyers are interested in keeping as many jurisdictions as possible. The question is to be determined by the people of the country; and I say, not as a member of the House, but as a member of the profession, that my interest would be to preserve the Supreme Court, and keep the fees connected with it within the profession. But as a member of the House, and a representative of my Province and the people, I say that public opinion in that Province is against the existence of that Court, and that this sentiment almost amounts to indignation. But to return to the subject of the Montreal Bar, I cannot ignore the importance of its meeting. I was greatly surprised at its resolution. It did not express the opinions I heard from some of the majority some time ago. What, in their case, caused this change? Why did the Montreal Bar not follow the example of the Scotch or Irish Bar, and say like them, on a similar occasion, in 1875—we do not want that Supreme Court? Are they less patriotic, less intelligent? I cannot admit that. I believe the first cause of this resolution was, and I am sorry to say it, party spirit, which too often influences the deliberations of the Bar of our Province. In the second place, another cause is the dissatisfaction which exists among some members of that Bar, with our local Judges. We all know that too often the nomination of Judges in the Province of Quebec, especially, is controlled by political exigencies. But, notwithstanding, are we to find the remedy in the Supreme Court? Do we not find in that Court the results of the same political exigencies? And shall we be told that even an inferior Judge of our Province is not better acquainted with its laws than able lawyers of other Provinces, not brought up under, or familiar with our laws, and not in a position to learn them? My Bill will, in my humble opinion, meet all

complaints in regard to the Supreme Court. It will give redress to the Province of Quebec, by taking away from Judges ignorant of our laws, the duty of deciding upon them. Wherever, as in the Maritime Provinces, there exists no Provincial Court of Appeal, there is a feeling in favor of the continuance of the Supreme Court. Speaking for myself I would have no objection to limiting this Bill to Quebec, and exempting from its operation Ontario and the Maritime Provinces. Let those Provinces retain the Supreme Court. If the people of Ontario were in the position of the people of Quebec, with their love of justice, they would not stand that Court, but would demolish, if necessary, stone by stone, any building in which it was held. I ask you, will you not give us justice in this matter? Keep, if you wish it, that Court for yourselves, but leave our local rights, our local laws and our local institutions, which are so different from your own, in the hands of our own local Judges. The Bill reads as follows:—

"1. The appellate jurisdiction of the Supreme Court of Canada is abolished in all cases where the matter in dispute relates to property and civil rights in any of the Provinces, and generally as to matters of a merely local or private nature and coming within the exclusive jurisdiction of the Legislature of any of the said Provinces, according to the meaning of the British North America Act of 1867, and Acts amending the same.

"2. This Act shall not apply to cases decided by the Exchequer Court of Canada, nor to cases where the matter in dispute affects the constitutionality or validity of any Act or Statute of any of the said Provincial Legislatures, which cases shall continue to be subject to appeal to the said Supreme Court, as now is or hereafter shall be provided for.

"3. This Act shall not apply to appeals already instituted or pending before the said Supreme Court."

Perhaps it would be well to say also that the Act shall not apply to cases where the Crown or citizens of different Provinces are interested, and any amendments of that kind which may be made in Committee will be accepted with pleasure.

Mr. BROOKS. I have listened with a great deal of pleasure and instruction to the address which has been delivered by the hon. member for Jacques Cartier. He has spoken to-night as he always speaks—ably and earnestly, and as one whose heart is in the subject to which he addressed himself. But while I agree with him in a great deal he has said, and particularly in the eulogy which he has paid to our Lower Canadian law; while I have been extremely interested and instructed by the historical retrospect which he has given us with regard to that law, I must say that I do not agree with the principle of the Bill of which the hon. gentleman has moved the second reading; I believe the introduction of measures of this kind tend very much to impair, if not to destroy altogether, the usefulness of the highest Court of appellate jurisdiction in Canada. I believe that the frequent introduction of such measures, to which the hon. gentleman has referred, has been a source of danger to the Court to which they refer; and I believe that once and for all we should determine whether we shall not, if it is possible to do so, prevent these constant interferences with the Court, which tend so much to impair its usefulness. Though I have listened very attentively to the remarks of the hon. gentleman, it appears to me that from beginning to end he has not addressed himself to the point which should have been raised in introducing a measure of this kind to the House. In 1875, when the Act constituting the Supreme and Exchequer Court was passed, the points which the hon. gentleman has raised to-night were brought up and discussed at full length, and a determination was then arrived at by a large majority of the House of Commons—a determination which, to my mind, cannot at all be changed by anything which has been said by the hon. gentleman to-night. We then adopted the principle of establishing a Supreme Court at a great expense to the Dominion. I think that some new matter should be brought forward to influence the House before asking it at

this early day—for it is an early day looking at the life of Courts—to reverse the decision which it came to at that period. Not one argument or one principle of argument has been adduced to-night that was not adduced at that time. The same objections which were then made and which were passed upon by this House, have been raised to-night; and I listened to the hon. gentleman with a great deal of attention in order to learn when he would come to the practical question of saying what reasons, if any, there are to-day which did not then exist which should influence us in reversing the decision which we then arrived at. At that time motions precisely similar to that of the hon. gentleman were proposed by the late Minister of Inland Revenue, now a Judge on the Bench, by the then member for Laval, Mr., now Judge, Taschereau, and by one or two other members; I should have thought that if anything has intervened since that time to justify us in altering our decision with regard to this Court, it should have been adduced by the hon. gentleman. There was the same objection raised of our having only two French Judges conversant with the civil law of our Province, and it does appear to me somewhat humiliating that it should be stated that in this new Dominion of ours—a statement which will go the length and breadth of the country—we have no trained lawyers—no men whom we could entrust with the decision of cases that may come before that Court from the different Provinces of the Dominion. It has been stated that the results of appeals to the Privy Council have been satisfactory, but I would ask if there is anything about the Inns of Court of London, anything in the education which is received there which, considering the different conditions of the two countries, cannot be obtained here. Have they greater intellects? Taking into consideration the difference in population and educational advantages, are there to be found more trained intellects—men more capable of grasping questions to be brought before the Courts than we have here. In considering this subject we should, at any rate, not be satisfied with discrediting the legal talent of our own country; we should say, if we have no such men, that, as time goes on, men will be raised who will be capable of grasping the laws of our Provinces. But, without referring to men who are now upon our Bench, I would ask the hon. gentleman if such as Lafontaine and the Aylwines and Stuarts were not men to whom he would be willing to leave the decision of all cases that might come before them. I am satisfied that whatever may be the dissatisfaction or the indignation which, as the hon. gentleman said, exists among the people of the Province of Quebec with regard to this Court, it is merely temporary, and that it is a something which time will cure. With regard to the question of appeals to this Court from the Province of Quebec, I have been desired to read the resolutions of the Montreal Bar, which were referred to by the hon. gentleman, and the comments which have been made upon them by a distinguished member of the Montreal Bar. Before doing so, however, I wish to point out that there has been no general expression of opinion upon this matter by public meetings of members of the Bar or otherwise. There has been no such expression from the Bar of Quebec, or Three Rivers or St. Francis; the only agitation of the kind has been that to which the hon. gentleman has referred, from the Bar of Montreal:

"Moved by W. H. Kerr, Q.C., seconded by Joseph Doutre, Q.C., that in the interest of the administration of justice it is inexpedient to deprive the Supreme Court of Canada of any portion of its existing appellate jurisdiction over judgments rendered in the Provinces."

This was signed by W. H. Kerr, Q.C., Joseph Doutre, Q.C., G. Macrac, Q.C., R. Lafamme, Q.C., H. Mercer, Q.C., S. Bothune, Q.C., W. W. Robertson, Q.C., and many others to the number of forty-one. My hon. friend is much more cognizant of the strength of the Montreal Bar than I am, but I am informed  
Mr. Brooks.

that there were upwards of 100 members in attendance, that the sitting of that meeting was prolonged until a late hour in the day, so that many left before its close and the vote was forty-one that it was inexpedient to pass this Bill, and twenty-one in favor of it. The letter I have received is from Mr. Kerr, one of the most distinguished lawyers in the Province, and with your permission I will read it:

"MONTREAL, 23rd February, 1881.

"MY DEAR SIR,—I believe that it has been said in the House of Commons that the people of the Province of Quebec are in favor of Mr. Girouard's Bill to limit the jurisdiction of the Supreme Court of Canada.

"I think I can say, without fear of contradiction, that the English-speaking portion of the Province of Quebec is in favor of the maintenance of the appellate jurisdiction of that Court as it at present exists, and, in fact, would hail with gladness its extension. In proof of this assertion I enclose you a copy of a motion made by me, seconded by Mr. Doutre, at a meeting of the Bar of Montreal, held on the 18th inst. Annexed to the motion is a copy of the names of those members voting for it, from which you will perceive that nearly all the leading English-speaking members of the Bar voted in favor of the motion.

"It would seem to be the object of some members of the Bar, judging by their utterances at the meeting of the 18th inst., to abolish not only the right of appeal to the Supreme Court in matters relative to property and civil rights but also to do away with the existing facilities of appealing to Her Majesty in her Privy Council in all cases. They seem, in such matters, to wish to prohibit any appeal from the Court of Queen's Bench. If they succeed, their success will be a great calamity to the Province of Quebec.

"Judges, I regret to say, have very frequently been selected from the Bar of Quebec, not from their eminence as lawyers, but from motives of political expediency, and our Courts, consequently, have not the confidence of the public. The knowledge that an appeal lies from the Court of Queen's Bench to the Privy Council or Supreme Court now acts as a salutary check upon the first-named Court, but do away with the right of appeal, and that Court will then be free to settle finally the most important cases. Its decisions do not now give satisfaction, for, as at present constituted, it is not what might be called a strong Court, and the dissatisfaction prevailing at the Bar, and amongst the public, at the present moment would thereby be increased. In the Supreme Court, at the present moment, are two French Canadian Judges, the right of the English portion of the Bar of the Province of Quebec to representation on the Bench of that Court is ignored, the French Canadians claim that they are entitled to the two seats reserved for the Quebec Bar. Consequently, the English-speaking members of that Bar find that they are placed in an inferior position, so far as the Court is concerned, to their French confrères, merely because they are of British blood.

"I, for one, do not consider there is such a difference existing between the laws of Quebec Province and those of the other Provinces, as that men taken from the Bars of the other Provinces, eminent in their profession, should not be able, in conjunction with the Lower Canadian Judges, to render good judgments in cases relating to property and civil rights brought from this Province, but I look upon it as essential that great care should be taken in the selection of the Judges. If, owing to political exigencies, inferior men are put upon the Bench of that Court, I am of opinion that it must be a failure. I admit that it is not as strong a Court that it should be, that the selections have not been made with that discretion which should characterize the action of the Government, in naming Judges to the highest Court in the Dominion. Yet I would consider it a calamity if the right of appeal thereto, as it now exists, were taken from the English-speaking portion of the inhabitants of the Province of Quebec.

"Yours very faithfully,

"WILLIAM H. KERR."

That letter is submitted as it was forwarded to me. Now, I am informed—and I give the figures subject to correction—that the number of appeals from the Province of Quebec, prior to the last Session of this Parliament, was forty-six. Of these, forty-two were decided upon the merits. Twenty-seven judgments appealed from were confirmed, and fifteen were reversed. Only four were decided upon side issues and not upon the merits. I am told that of all these cases only three turned upon questions outside the civil law. If that be correct there certainly cannot be any great cause for dissatisfaction with the working of that Court. I happen to know that many of the cases which have been sent up from the district of Montreal came up upon questions relating to criminal law and criminal matters. Now, with regard to the principle of the Bill which is before the House, I would refer the hon. member for Jacques Cartier to a discussion which took place at the time of Confederation, and to a declaration which was made by an authority which I presume no one

in this House will attempt to deny—Sir George E. Cartier. In that discussion he said:

“The hon. member has very justly remarked that it may become necessary at a future period to constitute such a tribunal. At present the several Provinces which are to form part of the Confederation, have the same court of final appeal. As long as we keep up our connection with the Mother Country, we shall always have our Court of final appeal in Her Majesty's Privy Council. But when the British Provinces on this continent are united by the bond of Confederation, we shall have a uniform system, common to all, in regard to imports, bills of exchange and promissory notes, as well as universal jurisprudence. Accordingly, when we have lived some years under the Federal regime, the urgent need of such a Court of Appeal with jurisdiction in such matters will be felt, and if it is created, it will be fit that its jurisdiction should extend to civil causes which might arise in the several Confederate Provinces, because it will necessarily be composed of the most eminent Judges in the different Provinces of the jurists whose reputation stands highest of men, in short, profoundly skilled in the jurisprudence of each of the Provinces which they will respectively represent. Well, if this Court is called upon, for instance, to give final judgment on a judgment rendered by a Lower Canada Court, there will be among the Judges on the Bench men perfectly versed in the knowledge of the laws of that section of the Confederation, who will be able to give the benefit of their lights to the other Judges sitting with them. I must observe to my hon. friend the member for Montmorency, that he disparages the civil law of Lower Canada in the estimate he makes of it; but he need be under no uneasiness on that head. He should not forget that if, at this day, the laws of Lower Canada are so remarkably well understood in Her Majesty's Privy Council, it is because the cause of equity, which is a subject of deep study and familiar knowledge among the members of the Council, is based on Roman law, as our own code is. All the eminent Judges, whether in England, in the Maritime Provinces or in Upper Canada are profoundly versed in those principles of equity which are identical with those of our civil code.”

This declaration was made prior to Confederation and long before the establishment of this Court. I would also refer the hon. member to a declaration made by the present leader of the Government with regard to the establishment of this Court and with regard to the interpretation of the 101st section of the British North America Act, according to which the hon. member claims that this Court should be an Appellate Court, not from decisions under Provincial laws, but simply under the laws of Canada. In 1875, when the Bill relating to this Court was under discussion, the Right Hon. Sir John A. Macdonald said:

“He quite agreed with the views of the hon. gentleman that this Court of Appeal, when established, would be a Court of Appeal to Canada—a Court that could entertain appeals from the decisions of all the Provincial Courts, whether such decisions were based on Provincial laws or laws of the Dominion. He knew that there was one authority in this House who had a contrary opinion, and that authority was one that he greatly respected, and he was always sorry to differ from; but he (Sir John) was fortified in his opinion by the views entertained by the Minister of Justice and the Government. He believed the logical and grammatical construction of the term “Court of Appeal” made in a Court of Appeal from all tribunals in this Dominion.”

That seems to have been the settled determination of Parliament at that time; and now, after the Court has continued for five years, I see no reason, notwithstanding the arguments of the hon. member for Jacques Cartier, to differ from that decision. Then another question arises with regard to this matter. The hon. member has only spoken for the Province of Quebec; but he undertakes to legislate for the whole Dominion. Now, let us see what would be the consequences of the legislation he proposes. He declares in the first section of his Bill:

“The Appellate Jurisdiction of the Supreme Court of Canada is abolished in all cases where the matter in dispute relates to property and civil rights in any of the Provinces.”

As a matter of economy, what would be the result of that? I understand that in the five Provinces of Nova Scotia, New Brunswick, Prince Edward Island, Manitoba and British Columbia, there is no Court of Appeal, and the effect of this Act would be to deprive all these Provinces of the right of appeal from the decisions of their Courts of original jurisdiction; so that this Parliament would ultimately, in common justice, have to establish a Court of Appeal in each of these Provinces, the expense of which would be larger than that of the Court of which the hon. gentleman complains. I do not pretend to say that there is not a feeling of dissatisfaction with this Court

among the people of the Province of Quebec. I am sorry it does exist, though we have not yet had any official declaration of that feeling. I believe that it would be unwise on the part of this Parliament, after having tried the experiment of this Court for only five years, to materially alter its constitution, and that we should try the working of that Court for a considerable time longer. If there are in the composition of that Court reasons for dissatisfaction, some alterations might be made. I do not believe it would be wise or right on our part to adopt the principle of this Bill by passing the second reading.

Mr. CAMERON (Victoria). To limit the jurisdiction of the Supreme Court in the manner proposed by this Bill would be equivalent to abolishing that Court altogether. I am not prepared to see that Court abolished. As I said on a former occasion, I think the existence of the Supreme Court is necessary to the completion of our system of Confederation; and while, perhaps, in some respects the complaints in reference to it are well founded, I do not think there are any defects which are not capable of an easy remedy. In my own experience of the Court, especially recently, I have found no very great cause for complaint, if any. It cannot be complained that they allow their judgments to fall in arrear, because there are none in arrear at the present time. I am not aware that any of the cases argued at the present sitting have stood over, and some of those argued have been disposed of already. They are doing their work promptly, and I do not think it has been charged that they are not doing it efficiently. These continued attacks on the Court are calculated to destroy its usefulness, and so diminish the respect with which its judgments should be received, and with which I think but for these attacks they would be received, throughout the country generally. It has been suggested that this Bill should be amended in such a way as to confine its operation to the Province of Quebec alone. I think such a course would be most objectionable; we should not lay down one rule for the Province of Quebec and another for the rest of the Dominion. If the Court is to have any jurisdiction at all, it should be co-extensive with the Dominion. If, however, I was convinced that the objection to this Court in the Province of Quebec was of such universal character as to deserve our serious consideration, I should hesitate before saying to our friends from that Province that we were against the wish of the great majority of its people. But what do we find happened at a meeting in the constituency of the hon. gentleman who has moved this Bill? The hon. gentleman says: “It was not a majority of the Bar of that Province.” It cannot be pretended, at any rate, there was not a fair section of the Bar present. At that meeting, the present jurisdiction of the Court was maintained by a vote of forty-one to twenty-one. How, in the face of that resolution, can it be said that this Court meets with the condemnation of the majority, or of any considerable number even, of the legal profession or of the inhabitants of that Province? Have we had any petitions here against it? Is there anything else—I say it with all respect to my hon. friend and those who support him—but a limited sphere of objection to this Court, unsupported by the majority of the profession, and certainly, as far as any authentic indication of public opinion is concerned, unsupported by the people themselves. I do think we would be adopting a most dangerous and improper policy, if now, at the tail end of the Session, with a limited opportunity for discussion, we were to support this Bill to the extent of even allowing it to be read a second time. There are interests of a far more extensive nature at stake than those limited ones to which my hon. friend has given expression on the present occasion. If the Court is not efficient it ought to be made so, but we ought not to adopt a revolu-

tionary measure of this nature, which, to my mind, is tantamount to the total abolition of this Court.

Mr. LANDRY. I will call the attention of the Government to the nature of the Bill and the nature of the promises the Government made last Session and during this Session. On the 26th February, 1880, the hon. Prime Minister said:

"I think we ought not to repeal this Court. We ought not to wipe it out of existence. We ought to face the question, however, and enquire into the cause of the dissatisfaction which is so prevalent. It seems to me there must be a remedy. There must be some means of meeting the objections which experience has verified. The Government desires to press this seriously to that extent, and, individually, I may say that I am disappointed that a more enlarged discussion has not been entered upon on this occasion by members of the Bar, in order that the House and the country may, from their lips, know what the strong objections are to this Court. I have no doubt that there are very many gentlemen in this House who, if they would, would not only be able to state the objections that have arisen, but state their own opinions as to the best means to remove these objections. I had hoped this discussion would have brought out a great many of the points to which I have alluded. However, the Government desire to address themselves earnestly to this matter, and to make a full and exhaustive enquiry into the best means of removing the objections, and into the best means of making the Court, in every sense, efficient and satisfactory."

After recess the hon. Minister of Public Works said, addressing himself to the members of the Province of Quebec:

"Mr. LANGEVIN. I do not wish to prolong the debate, but I desire that the position of the Government in relation to this question should be well understood. I fear that, when my hon. friend the Prime Minister explained the views of the Administration, his voice was not strong enough to be heard throughout the House. I would say, therefore, that it is the intention of the Government, during the recess, to examine this question with special reference to the Province of Quebec, so as to ascertain what steps must be taken in order to meet the objections which have been raised, and the inconveniences resulting from the working of this Court. The House must understand that I, myself, have never had reason to entertain great love for the Supreme Court, and that, consequently, the position I take this evening, in relation to that Court, is taken, not in the interest of the Court as personally composed, but with a view to the general interests of the Dominion of Canada. I am quite aware that, when there is an appeal from the Courts of the Province of Quebec to the Supreme Court, we find ourselves in this position: that often a judgment rendered by a large majority of the Court of Queen's Bench may be reversed by the Supreme Court; that is to say, that a judgment may be rendered by four or five Judges of the Court of Appeal of the Province of Quebec, and yet that judgment may be appealed to the Supreme Court and there reversed by two Judges called from the Province of Quebec. Two-thirds of the Judges of the Supreme Court do not understand the laws of the Province of Quebec, and they are, therefore, liable to err in cases coming before the Court from that Province. Now, Mr. Speaker, it was to those inconveniences the hon. the Prime Minister referred when he stated that the Government would make it their business, during the recess, to endeavor to find a remedy. The House must understand that when the Government take that position, and make so solemn a promise, it is their intention to meet the objections which have been raised, and to come down next Session with a measure calculated to meet the just complaints of hon. members from the Province of Quebec, and to remove the grievances enumerated by them this evening."

I think, after these promises, it is our duty to ask the Government what they intend to do during this Session. Will they support the Bill proposed by the hon. member for Jacques Cartier, or, if not, will they have any other remedy to bring forward? This Session, the hon. member for Hochelaga asked the Government whether it was their intention, during the present Session, to bring down a measure for the repeal of the Act establishing the Supreme Court; and if not, whether it is their intention so to amend that Act as to remove the inconvenience resulting, as respects the Province of Quebec, from its present constitution and jurisdiction? To that question the answer was given, that it was not the intention of the Government, during the present Session, to bring in a measure to repeal the Act establishing the Supreme Court; and that, with reference to the second part of the question, that question was now receiving the anxious consideration of the Government. It is not only the Government that are anxious to have a remedy, but also the Province of Quebec, and I hope the Government will tell us, this afternoon, what is their intention with regard to this Bill. As to the remark that these continual attacks destroy the usefulness of the

Mr. CAMERON (Victoria).

Supreme Court, I would answer that it applies as well to the Government as to the private members who have presented Bills to abolish the Court, or to limit its jurisdiction, because the Government promised, last year, to give a remedy, and renewed its promise this Session.

Mr. DESJARDINS. I think we are entitled, at this stage of the Bill, to the answer asked for by the hon. member for Montmagny (Mr. Landry). I am surprised at the position taken by the hon. member for Sherbrooke (Mr. Brooks) on that question, when he asks us new reasons to justify our complaints. It is not because some members of the Bar of Montreal protested against the introduction of a Bill such as the one proposed by the hon. member for Jacques Cartier, that we ought not to raise our voices against the present institution. The people of our Province are indignant about the jurisdiction given to this Court, and ask in earnest for relief in that matter. When we complain that the majority of the members of this tribunal do not know our laws, we offer a reason that can be sustained from the experience of more than a year, and we have not very much to add to this one. When we complain, besides, that the majority of this tribunal does not understand our language, the complaint ought to be listened to by those who have control of it. So, I think we are plainly justified in the position we take; and as the member for Jacques Cartier (Mr. Girouard) said truly, if such an injustice were committed against any other Province than Quebec, we should hear louder complaints than the present.

Mr. McDONALD (Pictou). I listened with very great attention and respect, as I always do, to the address of my hon. friend from Jacques Cartier (Mr. Girouard). I fully anticipated from him a very exhaustive discussion of this subject, which he has so much at heart. I regret, however, that I am obliged to differ with him as to his arguments and conclusions on various grounds. But there was one part of his speech, one element of the discussion on his part, in which we entirely agree, and with the hon. member from Sherbrooke (Mr. Brooks). I was under the impression that that was the real gravamen of the charge made against the Court by my hon. friend. I agree with him entirely as to the great value and importance of the admirable code which governs the Province of Quebec, and in the very critical, able and patriotic account which he gave of its ancient character and great utility, not only to the Province of Quebec, but to other countries where the principles of that law have prevailed; and I agree with him as to the respect in which it ought to be received in all courts of justice where the rights of the people, as based on that law, are adjudicated. I entirely sympathise with him also in his remarks as to the historical associations connected with this code of the ancient Province of Quebec, and in his observations on the judicial system he discussed. But at the same time I failed to catch—and perhaps it was my fault—the grounds upon which he suggested that that judicial system, so properly appreciated by him, was not duly administered in the Supreme Court of the Dominion. He failed to give any instances whatever in any cases argued before the Supreme Court wherein the opinions of his own Bar—the intelligent, able, learned lawyers of the Province of Quebec, who watch with so much jealousy the decisions of this Court—showed that they entertained the suspicion so often expressed in this House with reference to the ability of the Court—I say it struck me strongly that my hon. friend failed entirely to point out any single instance in which, either from ignorance or intention, the Supreme Court of the Dominion failed properly to administer the principles of the Civil Code of Quebec, and that law which the members from Quebec in this House, and the members of its Bar, have at all times guarded with so much and such proper jealousy. I think it becomes my hon. friend, when asking us to revolutionize our legislation on this subject, to show—if

it be not necessary to show his *confrères* from the Province of Quebec—to the intelligent public of the rest of the Dominion—why we should be called upon to assent to so entire a revolution in our judicial system and in the constitutional guards and checks which we have embodied in that system, as he demands. Surely if it be a patent fact—that we must accept as proved something simply because it is alleged—that the Judges of the Supreme Court are unable to apprehend, and being unable to apprehend are unable to administer the law of so important a Province as Quebec—at least that portion of the law personal to its people and affecting their civil rights—such rights as come home, undoubtedly, in all the Provinces, more closely and particularly to every inhabitant than any others—because they affect the daily life and occupations of every man, woman and child—if those evils really exist—surely there is one case in which the fact can be demonstrated; surely there is one case out of the number given by my hon. friend (Mr. Girouard) where the incompetence of the Court was acknowledged or complained of. But so far as my experience goes, listening, as I have listened, for the last three or four years, to complaints of the same character, I have yet to learn of one case, and see the man who, on his own responsibility as a lawyer and statesman, will venture to impugn the ability or integrity of the Supreme Court. The very list which my hon. friend has given; the very statistics which he has quoted as an evidence that the Court has not been appreciated in Quebec, it appears to me have conclusively proved that, although dissatisfaction with it does exist, arising from various causes, at any rate admitting that, since the establishment of the Court, there is dissatisfaction with the nominees from that Province, or dissatisfaction as to some part of the constitutional functions devolving upon the Court—whatever it may be, it is undoubted that dissatisfaction and uneasiness in the public opinion of that Province have shown itself with regard to this Court—have proved, I repeat, that that uneasiness is rapidly passing away, because we find that year by year the total number of appeals from the courts of inferior jurisdiction in the Province of Quebec to the Privy Council is decreasing, while the appeals directly to the Supreme Court are increasing. Taking that as a test, becoming familiar with the practice in the Supreme Court, the prejudices which originally existed in the minds of members of the Quebec Bar have been broken down gradually by greater familiarity with the practice and intelligent discipline of that Court, the enlightened and able Bar of that Province has manifested of late its growing confidence in the Court by gradually abandoning the expensive system which heretofore prevailed in Quebec, of appealing directly to the Privy Council, preferring what, in my humble opinion, is in some respects the highest Court of Appeal, the Supreme Court of the Dominion. And I trust most sincerely that when my hon. friend the leader of the Government has time to devote his attention and his great experience to the redemption of the pledge which he made last year, whatever difficulties may exist now to prevent the perfect reconciliation of our friends from the Province of Quebec to the practice and constitution of this Court may be removed. The hon. member for Montmagny (Mr. Landry) has very properly called attention to the observations of the leader of the Government last Session and also to the observations which the right hon. gentleman made this year. No doubt these pledges are properly brought to the attention of the House, but my hon. friend should recollect that the leader of the Government, during this Session and during the recess intervening between last Session and this, has been constantly occupied with a great public question which overshadowed all other questions of legislation; so that my hon. friends from Quebec should not press too strictly the fact that, under all the circumstances, the right hon. gentleman failed to meet

fully the intimation he made a year ago, that during the recess he would consider the difficulties which were mentioned by our friends from Quebec, and endeavor to find a solution. The hon. member for Jacques Cartier, I was glad to see, did not, as I understood him, attack the constitutionality of the Court; he did not intimate that it was not entirely within the competence of this Parliament to establish a Court with all the functions which have been given to that Court by Act of Parliament, and which have since been exercised by that tribunal.

Mr. GIROUARD. The hon. gentleman is mistaken. I said exactly the reverse.

Mr. McDONALD. I am sorry to hear it, but the reply is clear and distinct. It is that almost the common consensus of the eminent lawyers and jurists of the Dominion has pointed in one direction with regard to the constitutionality of this Court. The men who conceived and carried out the system of Confederation, considered this question and expressed their opinion in the language of the Statute—language so clear and explicit as not to have excited the shadow of doubt or hesitation in eminent legal minds since that time—that there should be established, not a general Court for Canada, but a general Court of Appeal for Canada. The language of the Act is: "And the organization of a general Court of Appeal for Canada, and for the establishment of any additional Courts for the better administration of the laws of Canada." So that we had a Court of Appeal standing alone—not a Court of original jurisdiction—independent entirely of any additional courts, which was a matter to be dealt with by subsequent experience and the requirements of the country. Either we must assume that the gentlemen who framed the Confederation Act, and obtained its passage through Parliament, used language which was without meaning, or we must arrive at the conclusion upon which this Parliament has proceeded, that it was to be a general Court of Appeal from the Courts of the several Provinces then and since composing the Dominion of Canada. I can only say, with my hon. friends who have spoken, that I think it would be a great calamity—it certainly would be so considered in my own Province and those adjoining it—if the right of appeal to the Supreme Court should be taken away. It would be a calamity not only to individual Provinces, but to the whole Dominion of Canada, for I consider that that Court is the crown of the edifice of our Constitution. I think there is no part of our Constitution which we ought to guard more sacredly, no part of our Constitution of which we ought to feel prouder than that Court—a Court which is independent of the Crown, which is composed of the men most learned, most wise, and most competent to deal with great questions which come before them; a court which not only controls the general laws of the country, but by the powers which are given to it by the Constitution, guards the rights of the people even as against the legislation of this House. Our experience for the last few years has shown us in what condition we would be if we had not this Court or some similar tribunal to appeal to. How many cases of the utmost importance, involving the integration of this Dominion of ours, have been disposed of by this Court to the entire satisfaction of the Dominion and of the several Provinces of the Dominion. It is a Court of the greatest possible importance, a Court before which are involved the highest possible interests of the several Provinces of the Dominion; a Court in which cases have been argued by able men and disposed of by the Judges in a manner which, so far as I have been able to learn, in a manner that has met with almost universal approval. But there is another argument in favor of the retention of that Court intact which, I think, cannot be successfully assailed, and that is that over and above the Supreme Court stands the original right of appeal to the

foot of the Throne, over and above this Court is the plan—whether wise or not it is not now for us to discuss—that the subject shall have the right to appeal even against the ultimate decision of that Court to the foot of the Throne, a tribunal which, according to my hon. friend, stands unimpeached and unimpeachable. I should like to ask my hon. friend from Jacques Cartier, in how many cases, though the Supreme Court has now been in existence some six or seven years, have dissatisfied suitors attempted to appeal from the decision of that Court? It has determined a very great number of cases of the highest importance, and, so far as I have been informed, only two suitors have taken exception to the decisions. These suitors have been men able to appeal, men with Provincial revenues at their command, and yet only two of them have made application to have the decisions of the Court removed. In one of these cases leave to appeal was granted; and in the other leave was refused, because even in an *et parte* argument there appeared not the slightest reason for a reversion of the judgment. Now, apart from the local feelings—apart from, at any rate, those local reasons affecting the mind of the Province of Quebec—I think there is no ground, no just ground to assail the ability and the desire of this Court to do its duty and to do it well. I do not intend to say that all the Judges are the ablest men in the Dominion. It may be true, as has been stated, that if a wiser discretion had been exercised in the selection of that Court, perhaps abler men could have been found. At the same time the House must recollect that we cannot always get the ablest men in the several Provinces to put on the Bench, even of the highest court in the nation. On the whole, I repeat, that I think my hon. friend failed to make out a case which justifies the attacks upon the Court and tends to destroy its influence. In my opinion, if the Court had not been strong in itself, if it did not possess the confidence and approbation of the people of this country, if the people had not made up their minds that the institution and maintenance of that Court as a supreme judicial tribunal were essential to the interests of the country, it could not have withstood the attacks made upon it for several years past. If it were otherwise, the reiterated declarations of men holding prominent positions as members of Parliament, and the attacks made in the press in consequence, would have shaken the foundations of any institution not strongly fortified in the confidence of the people. This seems to indicate that the people, having studied our judicial institutions, and realizing the importance of this tribunal to the constitution of the country, have made up their minds that if this Court was not perfect it ought to be improved and made as nearly perfect as possible. It will be the duty, as I have no doubt it will be the pleasure of the hon. the First Minister, who was himself the original creator of the idea of a Supreme Court as part of our Constitution, and whose opinion, I believe, coincided with that of his coadjutor as to the character which the Court ought to bear—I say it will not only be a duty which he owes to the country as the head of the Government, but a pleasure which will be personal to himself, so to amend, or so to restrict, if necessary, that Court as to make what he intended it should be, a Supreme Court for the Dominion of Canada, commanding and deserving the confidence of the people.

Mr. BRECKEN. I have listened with great pleasure to the philosophical and learned speech of my hon. friend from Jacques Cartier (Mr. Girouard), and I have also listened to the more practical and able speech of the Minister of Justice. I must say that I think it is a matter of regret that my hon. friend from Jacques Cartier should have so drawn up his Bill as to minimize the jurisdiction of the highest Court in this country. We boast of being a great Dominion, we have all the elements of a nation, and surely we ought to have an ultimate tribunal to which all parties, regardless of language, nationality, or system of jurisprudence, could appeal. The leader of the Government gave a good deal of

Mr. McDONALD (Pictou).

serious attention to this matter, though I believe that the duty of constituting that tribunal was relegated to the hon. member for Lambton (Mr. Mackenzie), who then led the Government. But the right hon. gentleman whom I am now proud of supporting, gave his generous support and vast experience as a constitutional lawyer, to the same purpose, and I believe the hon. member for Lambton has acknowledged that aid. At that time the earnest desire of all the members was to create a tribunal such as we have. I think if the Bill of the hon. member for Jacques Cartier were passed to-day it would be a great misfortune. There are certain questions that only a Supreme Court can decide. We ought to have a Court that we can all trust and all confide in. I have listened attentively to the able speech of the hon. Minister of Justice, and I heartily endorse what he has said. I think it will be a matter of great regret if we withdraw from that Court questions affecting civil rights. If it is allowed to decide great constitutional questions, surely it may be trusted to decide upon questions affecting civil rights. If the Court is not properly constituted it should be improved. I believe the decisions it has given have met with the respect of jurists. If that Court does not give satisfaction to the people of Quebec, who have a separate system of jurisprudence, let it be so constituted that they shall be satisfied with it, so that every Province may feel that justice will be done to all. To attempt to hamper this Court and to say that there are certain questions it is not competent to decide, is to cast a slur upon the title of those hon. Judges. If the Court is not constituted to the satisfaction of the Province of Quebec, the sooner it is so constituted the better it will be for this country. We must have such a Court of final appeal. Why should we continue to go to the Privy Council of Great Britain? I trust I am a loyal man. I do not want to see the ties weaken which binds us to Great Britain, but have we not legal lore enough in this Dominion to decide all the questions that may arise here? We have been expending millions of money during the present Session to build up this country. Ought we not to have a Court to decide every possible question that may come up in this country, whether it relates to the French laws of Quebec or to the English laws of Ontario and the eastern Provinces? As far as I am concerned I shall be obliged to vote against the Bill of the hon. member for Jacques Cartier.

Mr. McCONVILLE. As a member of the Bar of the District of Montreal I think it my duty to protest against the so-called resolution of the Bar of the District of Montreal which has been read by the hon. member for Sherbrooke (Mr. Brooks). I think it has been shown by the hon. member for Jacques Cartier (Mr. Girouard) that the members for the Province of Quebec cannot but vote for the Bill now before the House. The question is not, as I understand it has been put by the Minister of Justice, that we have not adduced cases in which justice has not been rendered by that tribunal, because I contend it is difficult to enter into such details before this House; but I suppose the Government attach some importance to the strong expression of opinion given by the members from the Province of Quebec on every occasion when the question has been brought before the House. It is evident that in Quebec it is the unanimous opinion of the people that the Bill before the House should be passed. I consider this case is a very clear one. Let us consider this: The tribunal is composed of six judges. Let us suppose they are the most able men who can be obtained in the Dominion. It must be admitted that four of them are not as well versed in the laws of Quebec as the Judges of that Province who had had the opportunity of studying that law and practising it. A judgment rendered by a Judge of the Superior Court of Quebec, confirmed by the Court of Review, composed of three Judges, still further confirmed by the Court of Appeal composed of five Judges,

or nine Judges, and all versed in the law of the Province, may be reversed by the Supreme Court, composed of six Judges, only two of whom belong to Quebec. Under these circumstances, it is perfectly useless to ask members from Quebec to admit that they have justice before this tribunal. There is no one who can deny that this is an anomaly; and the members from the Province of Quebec ask that it shall be corrected. The member for Queen's, P.E.I., (Mr. Brecken) considered that in his Province they want this tribunal. He may be perfectly correct, but, as the hon. member for Jacques Cartier (Mr. Girouard) has said, they may ask for an amendment, so that the Bill shall apply only to the Province of Quebec. We do not want to take other Provinces out of the jurisdiction of the Supreme Court, but we place our case before the House and say that this is a case in which the Government cannot delay to remedy that which requires to be corrected. Many times, and no hon. member will venture to deny it, the Government has led hon. members to understand that their intention was to bring in a measure which will give satisfaction to the people of Quebec on this very subject. How can the Government bring in such a measure? Certainly we cannot suppose they will appoint such a number of Judges as to give a majority of Judges from Quebec to that Court. If they cannot do that, what can they do except that which is proposed by the hon. member from Jacques Cartier, to render the justice we claim? Nothing else will suffice, and if the Government do not admit the principle of the Bill now before this House, they do not intend to give the people of Quebec that justice which we want.

Mr. GAULT. As a commercial man, moving among the mercantile people of Montreal, I have not heard a word of complaint against the Supreme Court. On the contrary, I have heard very favorable opinions expressed at some decisions very recently given; and I hope and trust that when a vote is taken to-night this will be the last we shall hear of it. Every time this subject is debated it must tend to reduce the high standing of the Supreme Court.

Mr. TASSE. Although a supporter of the principle of a Supreme Court, I cannot admit the statement that that tribunal is operating in a manner satisfactory to the people of the country at large. If it be true, as has been stated, that the Court is giving universal satisfaction, how is it that the hon. gentlemen have under their consideration a measure to remedy the grievances referred to during the present debate? If the constitution of that tribunal operates in a manner satisfactory to the people, how is it that it has been found necessary by the Government to modify this very measure? I cannot but say that the Supreme Court as constituted cannot give satisfaction to a large portion of the people—I refer to the population of the Province of Quebec. It is well established that there are only two Judges who can speak the French language; and if I am well informed, French lawyers from Quebec cannot be heard properly in their own language before the Supreme Court. They must speak a language which is not their own, and which perhaps many of them speak very imperfectly. The constitution of the Supreme Court is contrary to the spirit of our Constitution which places the two languages on the same footing; and from the circumstance that French lawyers cannot be heard in their own language before the Supreme Court we may conclude that a Court so constituted cannot command the confidence of a large portion of the people. It has been said that the lawyers of the Province of Quebec, or many of them, were satisfied with the operation of the Court as constituted. Well, with all due respect to the lawyers, I cannot consider them, especially in a case where perhaps they cannot have a disinterested opinion, the best exponents of the public opinion of the Province of Quebec. Besides the lawyers, there is a large portion of the people interested

in that tribunal. These are the suitors, and all persons who have dealings with the Court; and if we judge by the complaints appearing in the newspapers—and I consider the newspapers as good and even better exponents of public opinion than the lawyers, especially in a case like this—the reverse will appear to be the case, for those who read the French newspapers may see, almost every day, communications and articles complaining of the manner in which this Court operates. I do not wish to deprive other Provinces, which may be satisfied with the operation of this Court, of the right to appeal to it; but so long as changes are not made in a manner that will give satisfaction to a large portion of the people of this country for whom I feel a very deep interest, and it is a feeling that is quite natural, I will vote for a Bill which, while not depriving the other portions of the Dominion from the benefit that they might derive from this tribunal, will exempt the Province of Quebec from the operation of that Court in civil cases.

Mr. GIROUARD (Jacques Cartier). A great deal has been said about the satisfaction the Supreme Court has given to the whole country; and the hon. member for Montreal West (Mr. Gault) says it has given general satisfaction to the commercial community he represents. I do not propose to attack the jurisdiction of that Court over commercial matters. The hon. member for Victoria (Mr. Cameron) says that if we remove civil cases from the jurisdiction of the Supreme Court, nothing will be left. If the Bill passed, the Court would still have jurisdiction over all cases connected with the regulation of trade and commerce; the raising of money by any mode or system of taxation; navigation and shipping; sea coast and inland fisheries; forries between a Province and any British or foreign country, or between two Provinces; currency and coinage; banking, incorporation of banks, and the issue of paper money; savings banks; weights and measures; bills of exchange and promissory notes; interest; legal tender; bankruptcy and insolvency; patents of invention and discovery; copyrights; marriage and divorce; all matters relating to the criminal law; federal railways; and all classes of subjects as are not assigned exclusively to the Legislatures of the Provinces. The hon. member for Sherbrooke (Mr. Brooks) stated that only three civil cases from the Province of Quebec had been decided by the Supreme Court. I find, however, that during 1877, 1878, 1879 and a portion of 1880, eight civil cases from the Province of Quebec were decided by that Court. But even these figures show that the removal of civil causes will not materially affect the business or usefulness of the Court. The hon. Minister of Justice asks me to cite a single instance in which injustice has been done. I will call attention to one case—that of *Johnson vs. the Minister and Trustees of St. Andrew's Church, Montreal*—in regard to which great dissatisfaction existed with the decision of the Court. The judgment of the Superior Court was confirmed by the Court of Appeal in Montreal, and it was reversed by three Judges of the Supreme Court, the Chief Justice and Mr. Justice Strong dissenting. That is one instance, and there is no doubt there will be other instances of the same kind. The hon. member for Sherbrooke also says this Court was established by a large majority in 1875. What an argument. Did not the hon. gentleman vote for a protective tariff which had been condemned by a majority of the last Parliament? I am surprised that a member of the Bar of his standing should use such an argument seriously before this House. The hon. member for Victoria also states that it is impossible that we should have one rule for the Province of Quebec, and another for the rest of the Dominion. It would be better to have a special rule for the Province of Quebec than to do an act of injustice to that Province. We are not making that rule; we are only fulfilling the provisions of the British North

America Act, which secured us our civil rights and our civil law. I trust that this Bill will receive its second reading, if not this evening, at least at a later period of the Session. I have such a strong feeling on the subject that if I fail now I will bring forward this Bill as long as I represent a county of the Province of Quebec in this Parliament. I will bring it up again next Session unless the Government fulfil the promise made last Session by the leader of the Government, to remodel that Court so as to make it satisfactory to the Province of Quebec. Even at the expense of diminishing the confidence of the people in that Court, the Province of Quebec cannot be silent on this matter. I hope, however, that by next Session justice will be given to us, and that the Government will be prepared to bring in such a measure as will restore the confidence of the people of Quebec in the Court of final resort.

Sir JOHN A. MACDONALD. I quite agree with my hon. friend that it is impossible that this debate can close to-night. The subject is too important, embraces too many considerations, and has not received that full and exhaustive discussion which it calls for. I am, therefore, going to move the adjournment of the debate. I would say to my hon. friends that it is quite true that the Government are liable to the charge of not carrying out what they promised to do, that is, to investigate this subject and to endeavor to remove the difficulties or the objections that are raised, chiefly, if not altogether, in the Province of Quebec. I am not one who would at all minimize the difficulties of the question. I showed that when I was Minister of Justice in a former Government. On two occasions I brought in a Supreme Court Bill, but after the measures were laid on the Table for discussion, the objections raised against it from the Province of Quebec, the extreme difficulty of constituting a tribunal that would meet the case of Quebec, which has a separate system of law and organization, and added to that the difficulty arising from difference of language, these difficulties were so great that they deterred me, and the Government of which I was a member, from legislative action on the matter. The succeeding Government introduced the present measure and carried it into effect. Almost immediately after, there came from Quebec a murmur of dissatisfaction. I do not attribute so much importance to the language question as my hon. friend from the city of Ottawa (Mr. Tassé). He says that he understands that Lower Canadian lawyers who come here and speak English as imperfectly as he did, found great difficulty in making themselves understood. If they spoke English as well as my hon. friend, I think his argument is knocked on the head. On the other hand, all the counsel of Lower Canada who have really attained any position in the profession can speak English just as well as my hon. friend. The chief objection is, that Lower Canada has got a Court of Appeal, Queen's Bench, and a Superior Court Bench composed of Lower Canadian lawyers skilled in the law of Lower Canada, and there is naturally a greater feeling of confidence in the Court of Appeal than in the Supreme Court. That is a difficulty to be overcome some way or other, by which the Bench of the Supreme Court can be strengthened in such a way as to give confidence to the Bar of Lower Canada. In the hope of being able to solve that difficulty, the Government agreed to look into the subject during the last recess. Various causes, including the absence of myself, prevented our carrying out that intention, and so far we have not been able to come to any solution that would be satisfactory to the Bar of Lower Canada. We must, however, address ourselves to that subject, and I will again state to my hon. friend that during the recess the Government will take the question into its serious consideration, and if they do not, after giving it their best consideration, individually and collectively, work out a satisfactory solution,

Mr. GIBOUARD (Jacques Cartier).

Government will be prepared to form a commission in which the Bar of Lower Canada will be strongly represented to see if a satisfactory solution cannot be arrived at. I have heard the statements made by the hon. member for Joliette, and I must compliment my hon. friend on his able speech. His first speech being so successful, I hope that he will not remain silent hereafter. My hon. friend from Joliette stated that he had no desire to prevent the other Provinces from enjoying this Court if they choose, so long as Quebec was exempt from it. I am sure we are unable to do that. We must either repeal the Court altogether, or it must apply to all the Provinces. The British North America Act provides: "Parliament may, from time to time, provide for the constitution, maintenance and organization of a General Court of Appeal of Canada." That is the sole power that is given us to form a General Court of Appeal for Canada. I do not think we would be carrying out either the letter or spirit of the Act if we made the Court for a certain portion of Canada only. We must make up our minds to abolish the Court altogether, or to maintain it, making such alterations, according to the spirit of this Act, as will make it satisfactory to the Province of Quebec. Whether it may be by appointing a certain number of Judges *ad hoc* from the Bench or Bar of Lower Canada, to strengthen the Court in cases coming from Lower Canada, or by some other scheme, I am not able to say, but if the Court is to be maintained, a solution must be found to remove the dissatisfaction which exists, at all events, among the Franco-Canadians of Lower Canada. I am not at all prepared to vote for the abolition of the Court. It would be unjust to the other Provinces who desire to have a Court of Appeals. And the Court having been once established, it is practically impossible to remove that appellate jurisdiction and send all the litigants, be their claims large or small, important or unimportant, across the water 3,000 miles, to submit their cases to the Judicial Committee of the Privy Council. The case, however, has not been fully discussed. There is one hon. gentleman in this House, whom I know this House is anxious to hear, and from whose remarks they will receive equal pleasure and instruction—I allude especially to my hon. friend the leader of the Opposition. Other hon. gentlemen who have taken great interest in this subject, will also be enabled to throw additional light on it. I am, of course, quite well aware that it involves the possibility of the measure getting through this Session. Of course everybody understands that; but whether or not, I am quite sure that even if the majority of the House will adopt the principle of the Bill so far as to give it a second reading, that such is the state of the business and the impatience of members on both sides to get home, that it would be impossible to give it the third reading this Session. Therefore I am not throwing any impediment in the way of my hon. friend by moving the adjournment of the debate. I will not say he will get another day, but if an opportunity should arise for the continuance of the discussion I should be very glad, because the more it is continued the more will it enable the Government to understand more fully the general impression of the House on the subject. As my hon. friend from Lambton, from indisposition, is unable to be in his place to-night, and we were discussing the item for railways and canals, in which he takes special interest, if it be the will of the House to sit late to-morrow night and the night after, in order to dispose of the Estimates as fast as possible, I move that the debate be now adjourned.

Motion agreed to; and (at 12 o'clock, midnight,) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 10th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## EMIGRATION AGENTS IN CANADA.

Mr. ORTON, in introducing Bill (No. 88) to prevent agents of foreign railways and others from holding out inducements to persons to emigrate from Canada, said: It is well known that in every city, town and village in this country at the present day there are agents of American railway and land companies, who are engaged in persuading the people of Canada to leave. Emigrants coming from the old country, as a great many did last year, especially of the tenant farmer class, are, in consequence of the inducements offered, led to leave this country. Very deceptive inducements are held out. I have myself heard of a tenant farmer who, coming into my county from England, was induced to go to the United States by the operations of American agents at Toronto, and obtaining a free pass to look at the country; but he found when he got there that he was grossly deceived and returned to Canada. The fact is that immigrants from Europe are very much inclined to go in the direction where a free pass is given them, and as our agents in this country cannot offer free passes to those coming from the old country, immigrants are led to go from Canada to the United States. Many men occupying very high positions, and possessing wealth and influence, are engaged in this nefarious practice. I know such men in my own county who are now engaged as agents of American land companies, simply because they can make a little money out of it. I think such men should be denounced as traitors to our country. I believe men who have succeeded in Canada, and obtained wealth here by the aid of their fellow countrymen, are certainly acting very unfairly and unjustly toward their country and fellow countrymen when they use their influence against the welfare of the Dominion. The object of the Bill is to punish, by imprisonment and fine, all persons engaged in such practices, except by permission of the Governor in Council, so that the Government will have a controlling power over those engaged in this business; and if it is thought advisable to allow them to continue, they might be compelled to do so on equitable grounds. In all probability our large railway corporations, especially the new Syndicate, will desire to employ agents in the United States, and thus, to some extent, counteract the evils from which we are now suffering from agents being employed in Canada by American railway and land companies. I think this Bill will control the business in a proper and legitimate way.

Mr. MACKENZIE. Of course, until we have the Bill it is difficult to say what to make of it, but as it includes others besides railway agents I am inclined to support it, because the parties who have offered the chief inducements to people to leave Canada are hon. gentlemen on the Ministerial benches, and any motion of this kind that can be made to apply to them ought to have the support of the House.

Sir JOHN A. MACDONALD. I dare say we have been encouraging and holding out inducements to the people to leave old Canada and go to the North-West, but we have not been encouraging an exodus from Canada.

Bill read the first time.

## EXTORTIONATE RATES OF INTEREST.

Mr. McCUAIG, in introducing Bill (No. 89) to relieve borrowers from the payment of extortionate rates of interest,

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said: Last Session we passed an Act that the rate of interest payable on the amount of the mortgage should appear on the face of the mortgage. This Act was passed because it was discovered loan companies took advantage of the ignorance of borrowers, to make them pay a larger rate of interest than they supposed they were to be charged, by adding the interest calculated on the principal for a number of years, and then rendering the whole repayable by instalments as principal. This Bill I now introduce aims to protect the borrower against this extortion, by giving him power to recover the excess of interest already paid, and to secure him against a repetition of this extortion in the future, by declaring the rate of 8 per cent. shall be the highest rate he will require to pay.

Bill read the first time.

## FIRST READINGS.

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

Bill (No. 90) to remove doubts as to the power to imprison with hard labor under the Act 32 and 33 Victoria, Chap. 28 and the Act 37 Victoria, Chap. 43, respecting Vagrants.—(Mr. McDonald, Pictou.)

Bill (No. 91) to prescribe an oath to be taken by employes on Telegraph lines under control of the Government.—(Mr. McDonald, Pictou.)

Bill (No. 92) to wind up Insolvent banks and other incorporated companies.—(Mr. McDonald, Pictou.)

Bill (No. 93) to amend the Inland Revenue Act, 1880—(from the Senate).—(Mr. Mousseau.)

Bill (No. 94) to explain and amend the Canada Temperance Act of 1878—(from the Senate).—(Mr. Ouimet.)

## CUSTOMS ACTS.

Mr. BOWELL moved the second reading of Bill (No. 78) to amend the Act 40 Victoria, Chap. 10, entitled: "An Act to amend and consolidate the Acts respecting the Customs."

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

Mr. ROBERTSON (Hamilton). On looking over the Bill, I find there is one section of the Act of 1877 which does not seem to be noticed in it. By the 50th section of the Statute of 1877, there seems to be some difference of opinion as to what really the meaning of the Act is. I submit this would be a very proper time to declare what the law on that subject is. The 50th section of the Act provides as follows:—

"The collector shall cause at least one package in every invoice, and at least one package in ten if there be more than ten in any invoice, and so many more as he or any appraiser deems it expedient to examine for protection of the revenue, to be sent to the warehouse, and there to be opened, examined and appraised.—the packages to be so opened being designated by the collector: and if any packages found to contain any goods not mentioned in the invoice, such goods shall be absolutely forfeited, and if any goods are found which do not correspond with the description thereof in the invoice, and such omission or non-correspondence appears to have been made for the purpose of avoiding payment of the duty or of any part of the duty on such goods, or if in any invoice or entry any goods have been undervalued with such intent as aforesaid, or if the oath made with regard to any such invoice or entry is wilfully false in any particular—then, in any of the clauses aforesaid, all the packages and goods included or pretended to be included, or which ought to have been included in such invoice or entry, shall be forfeited."

I understand this section is being construed to mean that in no case has the Minister of Customs any discretion whatever, and to illustrate more forcibly what I mean, I propose to put a case, one that has actually occurred and has been brought to the notice of the Minister of Customs. A merchant in Hamilton purchased a quantity of goods in the

city of New York, for the purpose of sorting up his stock. He was not able to get all he required in the establishment, and was obliged to go to another, to make a few purchases amounting to some \$35 or \$40. He instructed the merchant from whom he purchased the first lot of goods, to send the invoice on to his warehouse in Hamilton; and after purchasing the second lot, he instructed that merchant to do the same thing, but to send the goods, as there was only one parcel, and that, I believe, a small one, to the warehouse of the merchant from whom he made the first purchase, and have them all enclosed in the same case and sent on to Hamilton. The goods were packed up at the second establishment and sent to the first merchant, for the purpose of being enclosed in the case; but through a mistake or carelessness, the second merchant did not forward his invoice to Hamilton. The invoice of the first merchant arrived in that city; but the purchaser himself had not reached home, and his book-keeper or invoice clerk went to the Custom house and presented his invoice, and made the entry, being perfectly unaware that the second purchase, the smaller one, was included in any of the packages that had arrived at the Custom house. On examination, the Customs authorities found that some of the goods in the case were not contained in the invoice. Properly enough, under the law, they seized the goods. A representation was made to the authorities of the real facts of the case, and, to my mind, evidence beyond question was afforded to show it was entirely an error, and that that error was occasioned by the second merchant not having forwarded his invoice to Hamilton as directed by the purchaser. That matter was laid before the Commissioner of Customs here, and before the hon. Minister of Customs; but he held that he had no discretion in the matter; that, although there may have been no fault in the purchaser, and a mistake, which was patent, yet the hon. Minister held he had no discretion, and this man's goods were forfeited. I hold that the law does not bear the construction put upon it by the hon. Minister. At all events, it is very doubtful if it does. But, if it be the case that he has no discretion in cases of this kind, this may be a proper time to declare what the meaning of the law is, and to make it clear, that men should not be deprived of their goods, except in cases where fraud is intended, or an attempt has been made to defraud the revenue. In the case I submit, the evidence was most conclusive to satisfy the mind of every impartial man, that a mistake had occurred, and in the way I describe. Yet, according to the hon. Minister's decision, he had no discretion in the matter, and the man lost his goods. I submit that since it is proposed to amend the Customs Act, that section fifty should have its intended meaning declared by this Act, if it is not already clear enough. Because I confess it is an outrageous business that, if a mistake has occurred in the way I have mentioned, there is no redress for the importer. It has been said, and I have no doubt of it, that a great many frauds have been and are perpetrated, and that attempts are continually being made to defraud the revenue. But because one, two or half-a-dozen or more frauds have been committed, that should not be the rule that should govern, if there really has been a mistake. And if it is held the Minister has no discretion in him—that, according to the words of the Statute, the goods should be absolutely forfeited merely because they happened to be in that case—I submit, in the interest of fair dealing, and in the interest of importers and all honest men, the law should be amended so as to make quite clear what it really is. I hope the hon. Minister will consider the matter, and say whether this is not the proper time to amend the law in the direction in which I suggest.

Mr. BOWELL. The point raised by my hon. friend from Hamilton (Mr. Robertson) has nothing whatever to do with the clause under discussion. Nor do I propose to amend the Mr. Robertson (Hamilton).

clause in the Customs Act to which he has referred. It may be a question for the House, if the hon. gentleman thinks proper that it should be changed, to take the sense of the House upon it. But it is a grave question whether the law, as it exists, should not be continued upon the Statute-book. It is quite true that a mistake may occur in regard to an honest importer who has no intention whatever of defrauding the revenue; but if those enclosures are to be given up at the will of any Minister, or on the representations of any member of Parliament, who may beseech him to do so, it is a very grave question, whether the law would have the effect its framers intended. There is only one package in every ten, under the law, that it is necessary to examine. It is true you can examine every package; but to do so would require an additional staff at every port. Those who have been connected with the Customs Department and the administration of that law, need not be told what an opportunity would be offered importers desirous of defrauding the revenue, by the placing of packages inside other goods. It constantly arises, and the only way to put a stop to it is to require purchasers of goods to make those from whom they buy understand that unless the invoice accompanies the goods in the packages, or instructions be sent also to the parties interested, that the goods are enclosed in such package, that the goods will be subject to seizure. In no case since I have undertaken the administration of the affairs of the department, have I allowed the confiscation of the goods so enclosed, if the merchant has informed the collector that he expected certain goods to arrive—that he had instructed the parties from whom he had purchased to enclose them with another purchase from another house, and was not aware whether they were so enclosed or not, but that if they were, he expected his invoice to that effect. But I tell the House that this system of enclosure is so common that, in order to protect the revenue from being defrauded of large sums every day, the present system has to be maintained. It is only the other day, that in a certain port in Ontario a large consignment of moss, I think for the filling or stuffing of chairs, was imported. The article itself was free, but the collector thought he would examine the package, and in the centre of which he found a large amount of dutiable articles. The importer in that case says at once that the goods are not his, and he abandons them. In other cases they tell us that it is a mistake; that Mr. So-and-So has sent the parcel to another gentleman, who purchased goods; he enclosed it in the package and has failed to send the invoice. The Customs officers cannot ascertain the facts until the bale is examined by the appraisers of the department. In my experience of two years, I have only found a few, some two importers in the whole country, who came forward and explained to the collector that certain goods were enclosed in packages which were not examined. I have no hesitation in saying that in cases where no intimation is made of these enclosures in packages, I think the law should be strictly carried out; but, in cases in which the collector is informed by importers that parcels have been imported in that way, my instructions have been to allow the entry to be amended, and no forfeiture of the goods. In the case to which my hon. friend (Mr. Robertson) has referred, though I do not, for a moment, doubt the honesty of the hon. gentleman in question, yet, if I recollect aright, none of the explanations given were anything more than the simple representations of the parties, unaccompanied by affidavits setting forth the facts.

Mr. ROBERTSON (Hamilton). My hon. friend is mistaken. There were affidavits sworn to not only by the importer but by the exporter.

Mr. BOWELL. I spoke simply from recollection, and no doubt the hon. gentleman is correct. But there is one

marvellous thing about these mistakes, if mistakes they are, and that is, that they are seldom or ever discovered unless by the appraiser of the department. This hon. gentleman having raised the question, I have informed the House of the manner in which I administer the law, and I do not think any lawyer in the House will venture to say that my interpretation is incorrect.

Mr. BURPEE. I agree with the Minister of Customs that it would be an unwise thing to strike out this section of the Act, or alter it in the way suggested by the hon. member for Hamilton. This provision of the law is one which has been in force long before Confederation; and there is no doubt that the practice of enclosing parcels in packages is a very common evasion of the law. If the law should be modified so as to admit evidence that these enclosures were mistakes, great difficulty would be experienced in carrying out the regulations of the department. The way of obviating the difficulty would be for importers to inform the exporters with whom they deal, of the nature of the law. No doubt there are many provisions in the Customs Law which appear somewhat harsh, but such provisions are necessary to prevent smuggling, and secure the efficient administration of the department.

Mr. ROBERTSON (Hamilton). I have no doubt that the statements of the last speaker are correct, and I agree with him that every care should be taken that the revenue may not be defrauded. But I cannot understand why we should have a law under which a man may be mulcted in heavy damages because a mistake has been made by persons over whom perhaps he has no control. The facts in this case have all been verified by the affidavits of the parties who knew the facts, and these affidavits were furnished to the Minister of Customs. Instructions were given, when this enclosure, as we may term it, was sent to Hamilton that a duplicated invoice of the goods should be forwarded so that entry could be made. The gentleman purchasing the goods was away from home—at Boston, I think,—when the goods and the invoice arrived before the purchaser returned. The firm in Hamilton having no intimation that they were purchased from different firms in New York, since only one set of invoices arrived, concluded that these invoices covered all the goods in the case, and the entry clerk went to the Custom house, made the entry, and paid the duty. The case was opened, and this parcel was found with the goods. When the merchant arrived home, which was I think the next day, he was astonished at the circumstances, and asked for the invoice of the enclosed package, which had not arrived, and nobody knew anything about it. No one in the establishment knew that this second purchase had come from another house at all. This explanation was made to the Customs, and affidavits were then furnished by that person in New York, who forwarded the enclosure to be packed in the case, and who swore in that affidavit that he had been instructed to forward duplicate invoices to Hamilton, but from some inadvertence or neglect they had been laid aside and had not been sent forward until he afterwards forwarded them after the seizure had taken place. Now, in this case, it was a very great misfortune to the importer who, not by any trick, not by any carelessness of his, not by any attempted fraud to deprive the revenue of a single farthing, loses these goods because, by reason of this law, they became absolutely forfeited as soon as they were discovered in the Custom house. I submit that if it is reasonable that the Minister of Customs should have discretionary power with reference to other goods contained in a case, and which were not in the enclosure, I cannot understand why he should not have the same discretion with reference to the enclosure itself; because before he could order that the goods which were properly entered should be released, he would have to make up his mind that there was no fraud

intended when the enclosure was sent off and the entry was not made, otherwise the whole of the goods under this Statute would be liable to forfeiture. He exercises his discretion with reference to the goods entered and contained in the case, but he has no discretion with reference to a smaller parcel which is contained in the case, and which may be called an enclosure. I think, therefore, it is right and just that the law should be amended in that respect. It may be that it will give the Minister of Customs a little more trouble. Yet I am not certain that it would even do that, because he is in duty bound to investigate cases, to the extent, at all events, to know whether any fraud was intended before he can release any of the goods, and if the investigation is satisfactory he can release all the goods except the enclosure. Then if he is satisfied the goods entered should be released, he must be satisfied that no fraud was intended in sending the enclosure in the way in which it was, *ergo* I submit that the whole goods should be released so that there would be no more trouble.

Mr. BOWELL. The hon. gentleman must not suppose that the trouble originates in the department. I can assure him that the easiest possible mode of getting out of all these troubles, is just to give up the goods, by which the Minister would be relieved of constant complications to reverse his decision by importers and members of Parliament.

Bill reported as amended, amendment concurred in, and Bill read the third time and passed.

#### SAVINGS BANKS.

Mr. BOWELL moved the second reading of Bill (No. 83) further to amend the Act respecting certain Savings Banks in the Provinces of Ontario and Quebec, and to continue for a limited time the charters of certain banks to which the said Act applies.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

Sir RICHARD J. CARTWRIGHT. I presume that the attention of the Finance Minister has been called to the fact that this Bill, as amended, permits these banks to lend money on the security of the stocks of ordinary banks. That, as the hon. gentleman is aware, is a power which has been grossly abused and which may and probably will be grossly abused in the future, and if his object is to have regard to the security of depositors it would seem proper that some restrictions should be put on such a power, if it is to be continued.

Sir LEONARD TILLEY. They have that authority under the Act at present, and there is no provision to prevent them from exercising it. The Government have given the matter their consideration as there is no doubt depositors in these banks run some risk; but savings banks are debarred from investing in the same kind of securities as other banks. As they are subject to calls, perhaps for large sums at short notice, they cannot invest in securities that are not immediately redeemable. Under these circumstances, the Government allowed these banks to retain the power they have.

Mr. MACKENZIE. Would it not be well to limit it?

Sir LEONARD TILLEY. It is limited, because a certain portion of their funds must be invested in other ways.

Sir RICHARD J. CARTWRIGHT. No doubt many bank stocks are admirable securities, but they fluctuate very considerably. For instance, the Bank of Montreal today is ruling at about 180, whereas, about eighteen months

ago it ruled at 125. It is quite conceivable that the intention of the Legislature to give extra securities to depositors may be entirely defeated. Men may pledge these securities with an extremely small margin, and there are banks whose standing is not by any means equal to that of the Bank of Montreal. It is for the hon. gentleman to consider whether these banks should not be restricted in some way, whether they should be allowed to lend as much as they see fit on the present market value.

Sir LEONARD TILLEY. If the gentlemen who manage these institutions act indiscreetly, there is no provision to prevent them from suffering loss. It is true bank stocks are higher now than they have been, and it is a question whether circumstances might not arise to render desirable a reduction in their value. That is a matter for the directors, and one which I fear we cannot control by legislation.

Bill reported, read the third time, and passed.

#### SUPPLY.—THE TARIFF.

Sir LEONARD TILLEY moved that the House again resolve itself into Committee of Supply.

Mr. BLAKE. Mr. Speaker, before you leave the Chair, I desire to make a few observations upon a subject on which, even at this late period of the Session, it is necessary, in my opinion, that we should record our votes. I shall not enter into the question at that length at which, under more propitious circumstances, it would be my desire to speak. But I shall, in the briefest possible way, bring before you the considerations which lead me to the conclusions embodied in the motion I mean to place in your hands. That motion has reference to the burden of taxation under which this country is at present laboring. I desire to point out to you that before the late general election the members of the present Government, then in Opposition, declared to the people, whose suffrages they were soliciting, that the scale of expenditure which had been adopted by the dissolved Parliament, under the advice of the late Government, was needlessly extravagant; that the Government were censurable for having proposed such a scale of expenditure; that a scale of expenditure very considerably under the mark which was reached by that Government was all that this country would have required; that while the expenditure in 1877-78 was \$23,500,000, it ought not to have exceeded \$22,500,000; that a revenue of \$13,000,000 from Customs and \$5,000,000 from Excise was all this country required to carry on the public service of the country. I desire to point out that they declared they would not increase, but would only readjust the Tariff, and that it was in consequence of those allegations as to what the scale of expenditure of the late Government was, as to what the needs of the country in the way of revenue were, as to what would be a sufficient Customs and Excise revenue, and as to what their intentions with respect to the Tariff were, that they obtained the confidence of the people of Canada. I want to read one or two proofs of these allegations. I refer, first of all, to the statement of the First Minister, so often quoted, who, in replying to a telegram from the present Senator Boyd, to this effect:

"The Government press here state that you propose to raise the Tariff generally to 35 per cent. Can I contradict this?"  
Sent this answer, under date July 19th:

"It is an absurd falsehood. Neither at London, or elsewhere, have I gone beyond my motion in Parliament, and have never proposed an increase, but only a readjustment of the Tariff."

I desire to point out that the Minister of Finance, then seeking the suffrages of the people of St. John, contrasting very much to his own advantage his financial feats with those of my hon. friend beside me (Sir Richard J. Cartwright),

Sir RICHARD J. CARTWRIGHT.

used, in a speech which he delivered there, and the report of which I take from his organ, the *Sun* newspaper, these expressions:

"I am now going to touch upon a delicate question, and I am well aware that I will be held responsible in Parliament for any expression of opinion that I may now give. If I had been in Parliament I would not have voted for increasing the duty on the non-enumerated articles from fifteen per cent. to seventeen and a-half. The Government supporters have been spreading the report all through the Dominion that the policy of Sir John A. Macdonald and his followers is to increase the taxes of the country. It has been stated that Sir John even named the rate to which he proposed to increase the Tariff at thirty-five per cent. No such idea ever entered into his head or any of his followers. The Tariff is always governed by the necessities of the country. It requires about \$13,000,000 yearly from customs duties, and \$5,000,000 from excise, to carry on the ordinary public services of the country. How best and most judiciously to levy this is the question for the Government of the day to consider. I do not think this amount is equitably levied at present, and, therefore, I am in favor of a re-adjustment of the tariff, which will render the tax equitable to all classes of the people throughout the Dominion. But this word re-adjustment does not suit our opponents. If you support the Opposition, they say, you will vote for increased taxation. This cry that is now raised about increased taxation reminds me of an incident which occurred during the Confederation campaign. A gentleman, who was opposed to Confederation, went into a house during his canvass, and patting a fine boy on the head, said, 'You do not wish this boy to go to fight the battles of Canada.' That settled the matter. We want no increased taxation, but we do want the taxes properly imposed."

I read again from the report of the hon. gentleman's nomination speech in St. John:

"He would now come to the question of taxation, which was an important one in the present election. If a supporter of his was met by a Government man, he was told that the Opposition proposed putting a duty on flour, coal, etc., and increasing taxation greatly. When Mr. Burpee made the assertion that he (the speaker) was in favor of a reciprocal tariff with the United States, Mr. Burpee stated what he had no right to say, as he (the speaker) had never made any statement of the kind. Had the Government of which he was a member, been in power during the last five years, he was satisfied the average expenditure would not have exceeded \$22,500,000, whereas it had reached \$24,000,000. It would have been the duty of the Government before levying additional taxation, to have ascertained what reductions could be made in the expenditure, and had the present Government acted on this principle they would have only been carrying out their declared policy while in Opposition; but they took no such course, and abandoned another plank in their platform. In fact, instead of decreasing they largely increased the expenditure, for which course they are justly censurable."

Now, Sir, I have proved, I think, the propositions which I stated, namely, that hon. gentlemen opposite declared the scale of expenditure in 1878 was too high and ought to be reduced; that they declared that \$13,000,000 of Customs and \$5,000,000 of Excise, or \$18,000,000 in all, from those sources would suffice; that the only question was how those \$18,000,000 could be obtained from Customs and Excise most equitably; and that they declared they would not increase, but only readjust the Tariff. I need not say those pledges have all been broken. The Government have very largely increased the rate of taxation, and it is unnecessary to do more for my purpose than to refer to the Trade and Navigation Returns of the year, which, although the contrast there given is not a fair one to my view, although it operates unfavorably to my view, I will, for the purpose of this argument, to simplify and briefly state the case, assume to be correct, and they will show that the taxation for the year 1878 was \$14.3 on the imports of articles imported for consumption, while it is for the last year \$19.70 on the same class, being an increase of over 40 per cent., or two-fifths on the burdens on importations. Well, an excuse was necessary for this deviation from the election pledges, and that excuse has been given in this sense: that it is true those pledges were broken, but that fault was not the fault of the Government, but that of my hon. friend beside me (Sir Richard J. Cartwright). I will not endeavor to paraphrase that excuse; I prefer to read it in the language of the Minister of Finance himself, in the speech he delivered in November last in Stratford. Referring to the speech of the ex-Finance Minister, he said:

"In the Session previous to the election, when he brought down his Estimates, he stated that the receipts from Customs this year would be \$13,750,000, and the receipts from Excise \$5,200,000, making altogether \$19,000,000 in the way of Customs and Excise revenue. Accepting Sir

Richard's statement, we believe that all was necessary for the country was simply a readjustment of the Tariff so as to give protection to the industries of Canada; and we said so. But what turned out to be the fact? The revenue from Customs was so far below the estimate for the first six months of the year, that had it not been that after March we increased the Tariff so as to get a large revenue, we would only have collected \$12,000,000 for the year, the receipts of which from Customs he estimated would be \$13,750,000. Then again, with regard to the Excise duties, the receipts were below the estimate, and had it not been for the changes he made in the Tariff there would have been a deficiency of \$1,750,000 from Customs revenue and of 500,000 from Excise as compared with Sir Richard J. Cartwright's estimates, or a difference between the actual receipts and the Estimates, of \$2,025,000. Had the Tariff of the late Government produced what Sir Richard estimated it would have produced from Customs and Excise, my duty as Finance Minister would have been light, and all the Government would have had to do would have been to readjust the Tariff, so as to save a very much greater revenue, but so as to give encouragement to our then struggling industries, and to assist in the introduction of new ones. But in the face of the fact that Sir Richard J. Cartwright's Tariff produced \$2,025,000 less than he had estimated, in the face of the successive deficits bordering on \$2,000,000 a year, it became the imperative duty of the Government to prevent further deficits by adding \$2,500,000 to our revenue—a proceeding which the people would prefer to the sacrificing of the honor and credit of our country. On this question of increased taxation let me draw your attention to one point. It is this: I have never seen or heard that any leading members of the Opposition have ever ventured to say in addressing their audiences, that the additional taxation which they denounced was not necessary in order to make the receipts cover the expenditure. I say this, my friends, in defence of the leader of the Government, who sent the telegram to New Brunswick, and I say in my own defence, because in addressing my constituents on our Tariff question I told them that it was a readjustment of the Tariff that we proposed, in saying which there was no gross deception in the matter. The only mistake we made was that we placed reliance on Sir Richard J. Cartwright's estimates, and we should not have done that after our five years' experience of him.

I do not intend to enter into a discussion as to the accuracy of the hon. Finance Minister's estimates and of those of my hon. friend beside me (Sir Richard J. Cartwright), respectively. I think that, at the proper time, a very instructive comparison could be made on the subject, but this is not the time at which it is necessary to make it. This excuse which I have read in full does not answer the facts as they stand to-day. A very much lower Tariff, it is quite obvious, would in a reasonably prosperous state of affairs in the country, have produced a revenue adequate to a reasonable scale of expenditure. What are the facts? As I have said, the hon. Finance Minister stated in July and September, 1878, that \$13,000,000 from Customs and \$5,000,000 from Excise, or a total of \$18,000,000 from these two sources, would be adequate to meet the ordinary public service of the country. What is the hon. gentleman, according to his financial statement, levying for the current and the next financial year?—for in dealing with this matter we are bound to consider the state of the Public Accounts for these two years. We are, in fact, dealing with the subject for two years. He is levying in each year, \$17,000,000, instead of \$13,000,000, from Customs and \$600,000, instead of \$5,000,000, from Excise—\$22,600,000 from Customs and Excise, instead of \$18,000,000, or \$4,600,000 more than he said in 1878 was necessary for the public service of this country. He has levied for the two years, \$9,200,000 more than he said was necessary for the public service so short a time ago as 1878. Why is he doing so? Well, his reason is that the expenditure has increased; because, instead of \$22,500,000 which he declared to be the proper scale, the scale at which his Government, had it been in power during the five years in which it was not in power, would have kept the expenditure, he is to spend \$25,575,000 for the current year, or over \$3,000,000 in excess of his estimate in 1878; because, instead of the \$22,500,000 he is to spend \$26,389,000 for the approaching financial year, or \$3,889,000 over his estimate in 1878. I do not mean to say that there would not have been some increase in the expenditure; on the contrary I say the hon. gentleman was not fair, or just, or candid in his representation with reference to the expenditure. I do not endorse his estimate, but he is bound by it. As he said in his speech, he touched a delicate subject, because he knew he would be held responsible in Parliament. I admit the hon. gentleman ought to have

stated that there would be a certain increase, though very much less than that which has occurred. But even making all allowance for a reasonable share of increase, these resolutions go beyond the hon. gentleman's estimate by nearly \$7,000,000 in two years. They go beyond the actual scale of expenditure of 1877-78—that scale which the hon. gentleman said was needless and extravagant, and in respect to which the Government of that day was censurable—by nearly \$5,000,000 for the two years. But that is not enough. Even the hon. gentleman fails to exhaust the burden of taxation which he has imposed on the country; even the hon. gentleman fails to make revenue and expenditure square in the way in which he appears desirous of making them balance, namely, by increasing the expenditure until it equals the revenue. Even these efforts, which a while ago he said were to be efforts to bring the rate of taxation to such a point, that the revenue would balance the expenditure, but which now seem to be efforts to raise the expenditure to such a point that it will balance the taxation, have failed; and he is left, according to the statement which he brings before the people and for which he asks their applause, face to face with the fact that this increased taxation which he was reluctantly driven to impose in order to make revenue and expenditure balance, is so excessive that it gives him a surplus of \$2,000,000 this year, and will give him \$1,400,000 surplus next year, or a total surplus of \$3,400,000 for the two financial years. The hon. gentleman wants the people to believe that it is not their money that makes the surplus, that it is not out of their pockets the surplus comes. He wants to persuade the country that he coined it, that he dug it out of a hole in the ground, or found it in the napkin in which his predecessors had unfortunately hidden it, and has deposited it in the public Treasury. That is what he wants the country to believe, but the country will realize that it is out of their pockets the surplus comes, and that it is not a wonderful feat that when you levy a tax upon people you should get some money from them. But extravagant as is this increase of expenditure, the taxation is more than adequate to meet the increase. Even if you agree that all this increased expenditure ought to be incurred, you are still in a position in which the taxation ought to be reduced, because the people ought not to be burdened with more taxation than is adequate to meet their obligations. There is another reason why the taxation should be reduced. Such a surplus is apt to lead the Government, Parliament, and the people to extravagance, and because this is specially the case when we find an Administration attempting to persuade the people that the creation of a surplus, not by the reduction of expenditure, but by the increase of revenue made by increasing the burden of taxation, is an operation which does not hurt them, but confers a benefit on them not drawn from their own pockets. Foolish people, I admit, are apt to be persuaded sometimes that this is a windfall, that this large sum does not come out of their own pockets; and thus, in accordance with the policy of this Administration in former days, an era of further extravagance is to set in. It has already set in, for already the scale of expenditure has largely increased, and the existence of a surplus is the basis on which the Government proposes that the scale of expenditure should still further be increased. We shall find ourselves when the tide turns, as we previously found ourselves, in this situation, that permanent charges will have been made on our revenue which we will have to meet when our revenue will be at a low ebb. Permanent engagements will have been made on the faith of this extraordinary taxation which it will be extremely difficult to meet when this extraordinary taxation fails to produce such large results as during periods of prosperity. History will in this particular repeat itself. And thus it seems to me that the pledges of the Government, which were that an expenditure very much less than what they

proposed would be adequate—which were that they would not increase the Tariff—which, later, were that they would only so adjust the Tariff as to make revenue and expenditure balance—should be kept, and that the fulfilment of these pledges as well as sound policy requires a reduction of taxation. I have not said a word about that portion of the taxation collected which does not fall into the public Treasury. I have confined myself to that, perhaps, small portion of the subject involved in the consideration of the public taxation—the burden upon the people from which they receive some benefit inasmuch as it falls into the public Treasury. I do not now desire to deal with details. I prefer to state the general principles which, I consider, should animate the Government and Parliament in dealing with this question. Those general principles are, that our increased taxation, increased, as it is, contrary to the pledges of those hon. gentlemen, and to a point to which it ought not to be increased, should be reduced at the moment it is possible to reduce it, and that in such reduction we should deal with those taxes that are most unequal, which bear hardest on the people of Canada, and which are least productive of revenue to the public exchequer. I beg to move :

That all the words after “that” be left out, and the following inserted instead thereof:—

The leaders of the present Government during the General Election of 1878, declared, that if restored to power, they would re-adjust, but not increase the Tariff.

That in 1879 they so increased the Tariff, that the average rate of taxation has been raised, according to the Trade and Navigation Returns from 14.03 per cent. in 1877-78, to 19.70 per cent. in 1879-80, or by over 40 per cent.

That the reason given for this departure from their Election pledges, was that the increase was required, in order to balance the public revenue and expenditure.

That the Government estimates the expenditure for the current fiscal year at \$25,573,000, being \$2,070,000 in excess of that for 1877-78, and the revenue for the current year at \$27,586,000, being \$2,013,000 in excess of the expenditure for the year, and \$4,297,000 in excess of the expenditure for 1877-78.

That the Government estimates the expenditure for 1881-82 at \$26,389,000, being \$816,000 in excess of that for the current year, and \$2,886,000 in excess of that for 1877-78; and the revenue at \$27,800,000, being \$1,411,000 in excess of the expenditure for the year, and \$4,297,000 in excess of the expenditure for 1877-78.

That it is thus proposed to raise for the current and the next fiscal years a revenue of \$55,386,000, being \$3,424,000 in excess of the expenditure for those years, and \$11,800,000 in excess of the expenditure, according to the scale of 1877-78.

That the rate of taxation is excessive and should be reduced; and in effecting such reduction regard should be had to those taxes, which press most severely on large masses of the population, which bear most unequally on different parts of the Dominion, and which, while most oppressive to the consumer, are least productive of revenue.

Sir LEONARD TILLEY. From what took place before we separated last evening, I had supposed it was the desire of the hon. gentleman opposite, as it was part of an arrangement then interred into, that we should take up the Estimates this afternoon, in order to enable my hon. friend the leader of the late Government, to be present to discuss them. Therefore, I am somewhat thrown off my guard at present. Had I anticipated this motion at this stage, I would have been prepared with some statistics I had some days ago, supposing the motion would then be brought forward. But let me say that I thank the hon. gentleman (Mr. Blake) for having read my speech at Stratford. It will not now be necessary for me to repeat it. That speech was a justification of the course the Government had pursued, and that I as Finance Minister had found it necessary to pursue in the introduction of legislation in 1879, in consideration of my statements made in 1878. It is a well known fact that in 1878, the then Finance Minister estimated his revenue from Customs at \$13,750,000. It is also known that for the first six months of the fiscal year—and there is a larger revenue from Customs receipts for the first six months than for the next six months—we received \$6,070,000 as against the \$13,750,000 which was estimated by my predecessor. Carrying out the estimate

Mr. BLAKE.

for the year, our Customs revenue would have been \$12,000,000, which shows that there would have been a deficiency in that year, had the hon. gentlemen opposite remained in power and no change been made, of \$1,750,000 in the receipts from Customs. The revenue from Excise would have been \$500,000 less than the amount which the hon. gentleman estimated, and besides this the expenditure of that year, for which the present Administration are only responsible to the extent of \$100,000, would have been \$1,000,000 more than the amount estimated by the late Finance Minister, showing a difference between his estimates and his income for that year of \$3,250,000. It has been asserted that many of us misled our constituents, with reference to our policy in regard to this matter, if we came into power. But Sir, we stated what we believed basing our belief upon the estimates made by the late Finance Minister; if his estimates of revenue and expenditure had been right there would have been no deficiency, and no necessity for increasing the Tariff in order to make up for what would have been a deficiency of \$3,250,000 under the old Tariff. We had not only to readjust the Tariff but to make up for a deficiency, or what would have been a deficiency if hon. gentlemen opposite had remained in power, so that we had not only to readjust the Tariff but to increase the taxation. With reference to readjustment, nothing could be more fallacious than the principle laid down by the hon. gentleman that we increased the taxation because the trade returns show that the average duty collected in 1877-78 was something like 14 per cent., while the average at the present time is about 19 per cent. Does not the hon. gentleman know that the very fact of an imposition of a duty on breadstuffs diminished the imports of these articles from the United States by millions of dollars?

Mr. BLAKE. Hear, hear.

Sir LEONARD TILLEY. The hon. gentleman says “hear, hear;” but if he looks at the Provinces of Nova Scotia and New Brunswick he will find that, under the old Tariff, we had a very large importation of American breadstuffs free of duty—some of them passing through the country, though entered for consumption, because there was no duty—and all these amounts went to swell the volume of the importation from the United States during those years, and of course to diminish the percentage of the revenue. At present, of course, these goods pass through the country in bond, and do not appear as if entered for consumption as they did before, and as the hon. gentleman knows very well by adding the amount of these imports and applying the Tariff which was in force in past years, the percentage of the amount collected will be very materially changed. It is well enough for the hon. gentleman, who has moved the resolution, to say, that you would think, from the credit which the Government are taking for the surplus, that it did not come out of the pockets of the people but out of their own; but we know that the excuse given by hon. gentlemen opposite for the deficits of the late Government was that the people had the money in their pockets and had not paid it to the Government, so it is not surprising that these hon. gentlemen should not attach much importance to the fact of having a surplus. I was glad, however, to find that the hon. gentleman did admit that the increased taxation was met to a certain extent by the fact that the people of the Dominion will have to their credit in the Treasury a surplus of \$3,500,000 this year and next to apply upon the redemption of their debt or for other public purposes, and that that amount must therefore be deducted from the increased taxation. The hon. gentleman goes on to compare the expenditure of 1873-74-75-76 with that of the present time, leaving out of sight the fact that these hon. gentlemen had increased the debt \$40,000,000,

for which interest and-sinking fund had to be provided. Does the hon. gentleman mean to say that that fact ought not to be taken into account in making a comparison such as he has instituted? Does he pretend that the \$18,000,000 expended on works for which hon. gentlemen opposite made contracts in connection with the Pacific Railway should have been expended by the present Administration, or that these works should not be proceeded with? The hon. gentleman knows perfectly well that the fact of having over 120 miles of the Grand Trunk Railway, and running it, adds to the expenses of the country, because the cost of running that road is added to the gross expenditure. So with regard to the Pembina Branch, though it is paying a surplus over expenses yet the amount of the expenses goes to swell the whole volume of the expenditure. Surely the hon. gentleman must know that the comparison he has made is not a fair and legitimate one. Has he forgotten that we are opening up the vast North-West Territories, and that we must necessarily be increasing our expenditure. The hon. gentleman ignores the fact that we are now working 120 miles of the Grand Trunk Railway, and between sixty and seventy miles of the Pembina Branch, besides our expenditure upon other public works, and he makes a comparison which he must know is not a correct representation of the facts. But we have another test by which we may judge how far the present Government are censurable for the increased taxation of the people of this country. When we are looking at the taxation of the people for the present year we must deduct \$2,000,000 surplus, because that is the people's money and should be placed to their credit. As I stated in my Budget Speech, and no one has controverted or attempted to contradict it, I took the population for the year 1873-74 down to the present time, and I showed under this calculation, what the taxation per head of the population had been from the year 1873-74 down to the present time, and so pertinent to this consideration were the remarks I then made, that I will read them again to the House. They are as follows:—

"I take the increase of population under the census of 1871. It was about 12½ per cent. between 1861 and 1871, and I estimated about 12½ per cent. between 1871 and 1881. I divide that by ten, and adding one tenth to each year from 1871 down, showing the increase in the Provinces. Taking money necessarily collected from Customs and Excise for the purpose of paying the necessary expenditure of the country, we find it to be as follows, per head for the population:—1873-4 \$5.01; 1874-5, \$5.07; 1875-6, \$5.22; 1876-7, \$4.82; 1877-8, \$4.71; 1878-9, \$5.02; 1879-80, \$4.87. \* \* \* And under the estimated expenditure of the present year (1881), \$4.98 as against \$5.22 in 1875-76, and \$5.07 in 1874-75. It must be borne in mind that between 1873-74 and the time when the present Government came into power, our debt was increased \$40,000,000, and last year \$18,000,000 were added, for which we are providing this year. Notwithstanding that it was \$4.87 per head of the population last year, it is estimated this year it will be \$4.98."

Notwithstanding the interest on the increased debt has been provided for, yet hon. gentlemen will ignore the fact that we increased our population, extended our country, built our railways and opened our canals, and when you deduct the surplus in the last year, you find you have less taxation per head of the population. The hon. gentleman comes down and asks for a reduction of the taxation, but he does not specify any particular items on which to make that reduction. What does he say? He deals in general terms in reference to it. What did I say to the House was the reason the Government felt they were not required at the present moment to diminish the taxation? We had seen indications that there was a possibility, and we hope there is a probability with reference to the matter before long, that we might return to that wise and judicious policy by which, in 1854, under the reciprocity treaty, coal, and lumber, and fish, and cattle, and everything of that kind should be exchanged, as it was then between the two countries. If that system were again introduced it would strike \$1,500,000 off the revenue and remove the whole of the surplus of next year. Under the circumstances

it was not thought desirable to reduce the taxation, as long as there was a prospect of anything of the kind occurring. Then, more than that, I said it was not possible for us at the present moment, though we had had the experience of the Tariff for twenty-one months, it was not possible yet to know the exact effect this was going to have in the diminution of the increased Tariff—whether the number of persons employed in the Dominion, in the various industries developed by this policy, would consume sufficient to replace the duty that would have been collected on the articles manufactured or not, and whether, under the circumstances, in the development of our coal trade, we might not, with reference to our soft coal, consume more largely than in the past, and reduce the revenue collected in that respect—perhaps it was under these circumstances, though we knew it would be acceptable to the House and the country, that we considered it desirable to delay for a year at all events before coming down, in view of the liabilities before us, and in view of the fact that for the construction of the Pacific Railway and for the canal contracts entered into years ago, requiring to be completed and which will be completed within the next year, that we must incur a debt of from \$12,000,000 to \$14,000,000 upon which we will have to pay interest. We thought, in view of these engagements, until we found the country prosperous and the revenue continuing to increase, that it would be best to delay for another year before we decided to reduce the taxation, and in the language I used in making my financial statement, that course would not damage the country in the meantime, and if at the close of two years we could show that we had from \$3,500,000 to \$4,000,000 surplus, that would be calculated to increase our credit and standing at home and abroad. Under these circumstances we did not feel justified in making a reduction, but we stand upon the broad principle to-day, that under the proposed expenditure for next year it is even less per head of the population, with \$60,000,000 or \$70,000,000 of debt added, for which we have to provide interest of a sinking fund, than the expenditure of hon. gentlemen opposite in 1874-75 and 1875-76. Under these circumstances I think we may rest perfectly satisfied, notwithstanding the hon. gentleman's protest and resolution, that the people will be content to bide their time for twelve months, to see whether the circumstances of the country will warrant us next Session in asking for a reduction.

Sir RICHARD J. CARTWRIGHT. I do not propose to detain the House for more than a few minutes to reply to some of the remarks which were made, more especially directed to myself, by the hon. Minister of Finance. I may say that I think, had that hon. gentleman been in the House during the five years which succeeded the—what shall I call it—lamentable events which led to the resignation of himself and his colleagues, he would hardly have ventured on the line of argument which we have heard to-day. We are told now by that hon. gentleman that within two or three years, such is the position of this country that very large increases are necessary to the annual expenditure which he so vigorously denounced, and which his friends so vigorously denounced while they were on the Opposition benches. What did he say then of the need in a country like this of progressive increases? What allowance was made to my hon. friend from Lambton (Mr. Mackenzie), when, inheriting a legacy involving an expenditure, as the Minister states truly enough, perhaps, of \$40,000,000, an expenditure inflicted upon my hon. friend's Government by the direct action of that hon. gentleman and his colleagues—what allowance was made to the late Government for the two or three million dollars additional expenditure, which was imposed upon us by the direct action of our predecessors, and in opposition to our repeated and most emphatic protests? I call on all those hon. gentlemen who had seats in the House during this time to

point out, if they can, in these voluminous *Hansards*, one single speech made by hon. gentlemen—opposite, in which the smallest allowance was made to the late Government for all the increases caused by their own acts. The hon. gentleman has asserted that our expenditure per head of the population is less now than it was under my hon. friend's Administration. Why, Sir, I think there has been but very little increase indeed in the population since the year 1878. If you chose to describe the ascertained expenditure for 1877-78, which amounted to \$23,500,000, by whatever figure the hon. gentleman pleases to represent the difference between the population in that year and the population this year, he will find, Mr. Speaker, that the annual expenditure, to-day, per head of the population of Canada, according to that hon. gentleman's estimate, will be one dollar per head more than it was on the ascertained expenditure of 1877-78. There is a plain and simple calculation. However, I am not admitting the ingenious plea of the hon. Minister, that the \$2,000,000 surplus which he hopes to receive are to be deducted from the taxation of the people of Canada. That, Sir, is a remarkable conclusion. Let me point out to the hon. gentleman that our motion simply asks that \$2,000,000 should be deducted from the taxation. Let it go back to the people to whom it belongs. The hon. gentleman made a mistake in his Estimates; he has asked for more than he says himself he required. My hon. friend (Mr. Blake) says: "If that be the case, let the people have the benefit of it. Let it go back to them. Let them enjoy the results of the increased prosperity with which Providence has blessed us; the increased exports which the hon. gentleman had done nothing at all to produce." The hon. gentleman finds fault with my hon. friend beside me, because, as he says, the trade returns were fallacious. It would be very easy for the hon. gentleman, whose Government brought down these trade returns, to have explained wherein they were fallacious. If the hon. gentleman will go back to the year 1874-75, he will see that my hon. friend took the worst year which he probably could have selected, from 1869 to 1878. In 1874 the total percentage was only 11.32, and in 1875, 12.83, so that my hon. friend, if he has erred at all, has erred in this, that he has taken a standard of comparison which was unfair to himself, unfair to his argument, and unfair to the late Administration, and he far more than compensated for any alteration in the trade returns caused by the fact to which the hon. gentleman referred, that a portion of the goods may have been entered for consumption in one year which were not, under the present system, entered in the other. The hon. gentleman spoke of my having been deceived in my estimates of revenue. As an old financier, he must know that estimates made eighteen months before they can be realized cannot be strictly accurate; they depend on a great variety of circumstances which neither he nor I, nor any man, can control. But I think he is incorrect in assuming that at present there is a large importation in the first half of the year, over that of the last year. That did occur, no doubt, to a great extent in former years; but of late years the tendency has been more and more to equalize, year by year, and half year by half year, the receipts from revenue, provided always that there be no unexpected disturbing occurrences to interfere with them. I entirely repudiate the hon. gentleman's assertion, that had my hon. friend continued to administer the affairs of this country, he would have found it necessary to expend \$1,000,000 more than his estimates for the service of the year 1878-79. That was the doing of the hon. gentleman and his colleagues, not ours. If I held the hon. gentleman responsible for the expenditure of 1873-74, it was because I was able to show, according to his own Estimates, according to the Statutes he himself had placed on the Statute-book, according to Orders in Council signed by himself, that he had provided

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for an expenditure larger by \$90,000 than the sum we actually expended; whereas, in the other case, he never was able, and is not able now, to show that we had authorized any portion of this additional \$1,000,000 to which he refers. According to the hon. gentleman's own statement at St. John, he required some \$18,000,000 from Customs and Excise; he now has, he says, \$22,500,000 or \$23,000,000 at his disposal; and yet he refuses to make any reduction whatever. I should like him to show, if he can, how he can justify his action. When a sudden and extraordinary increase in our exports has induced a considerable return of prosperity, and has yielded larger imports than he could have calculated on, I say he is not justified in assuming that either he or his policy had anything to do with it, or in assuming that when a surplus had come he had a right to retain it. I admit that, if this had been gained by a policy which had increased, and largely increased, the burdens of the people, he might possibly have had some right to use the argument he lately used to the House. But when it is notorious to every man that this increased revenue has been obtained by enormous taxes, levied on those portions of our population who can the least afford to pay them, when every man knows that the taxes on those particular classes of goods which enter most largely into the consumption of the poorer classes of the population have been increased, not 40 per cent., as my hon. friend said, but 100 per cent. What does my hon. friend ask? He asks simply that the burdens of these classes of people should now be lessened. He does not attempt to dictate to the Government how they should do that; he leaves it to their own wisdom and humanity to relieve those starving people out of whom they have made a profit, as soon as that profit has been realized. Now, when they have \$2,000,000 more revenue than they can possibly use, we ask that it be given back to the people to whom it properly belongs. We say that the experience of the whole 13 years which have elapsed since Confederation, go to show that if this be not returned, if the Government persist in expending this money which has come into their hands as a windfall they did not calculate upon, our expenditure will be going on increasing, until at the first reverse of trade that comes we shall find ourselves confronted with those problems with which my hon. friend and myself had to struggle during five years of unexampled depression. And I may remind the hon. gentleman that when he talks of the deficits of the late Government, be they what they may, they were enormously less than the deficits incurred during the Administration of his right hon. leader. I have proved again and again that his right hon. leader incurred deficits ten or twelve times greater than we incurred, and under circumstances far more favorable. It is well for the House to remember that while hon. gentlemen started with an annual expenditure of \$13,500,000, the very first year they had an increase in the revenue, they used it to bring up their expenditure to \$15,000,000; the year after to \$17,500,000, the year after to \$19,250,000, and finally to \$23,500,000, besides leaving behind for us, legacies involving an additional expenditure of at least three or four millions a year more. Now, I say that this surplus of which the hon. gentleman boasts, should be returned to the people if only for the reason that, as everybody who has examined the subject knows, this taxation involves taking out of the pockets of the people a vastly larger sum than goes into the Treasury. The public, therefore, will benefit to a much larger extent by the remission of taxation than by the same amount which may be deducted from the surplus in the Treasury. I do not propose to go into any minute investigation, at present, at any rate, of the burden which our taxation imposes. But let me call the attention of the House to this simple fact, that if you choose to capitalize our present taxation of

\$27,000,000 at 4 per cent., the rate money now bears, that taxation would represent a total capital of \$675,000,000, no light burden in a country like this, even were it twice as rich as it is to-day. I call upon the House to recollect that every needless million dollars which we exact from the people imposes, at the very least, the loss of a day's wages on every industrious man, from one end of the country to the other; and knowing, as we do, that the majority of these people are, at the best, always hard pressed to make a decent living, we must admit that my hon. friend is perfectly right—although I have but little hope that he will be listened to—in asking the Government to take the very earliest opportunity that presents itself to reduce the burdens of the people, and particularly to endeavor to get rid of those odious, unjust, and sectional taxes which are as much in defiance of all common sense as they are undoubtedly of any recognized principle of economy.

Mr. WHITE (Cardwell). I am quite sure that the hon. gentlemen on the Treasury Benches will not regret one feature of the hon. gentleman's speech, and that is that they have no chance of ever gaining his support. The hon. gentlemen referred to the fact that in the old times, under the leadership of the right hon. gentleman who now leads the Government, there were frequent deficits greater than those which prevailed during the administration of the last Government. Hon. gentlemen will remember that during the period of those deficits, the hon. gentleman was an ardent supporter of the Government.

Sir RICHARD J. CARTWRIGHT. The hon. gentleman is mistaken. I entered Parliament in 1863, and the deficits occurred before that.

Mr. WHITE (Cardwell). I have a distinct recollection that when the hon. gentleman first entered Parliament he entered it as a Conservative, and continued to be a Conservative for a considerable number of years afterwards. During the time this Government was in office, before 1873, there was a series of surpluses year after year. The hon. gentleman, true to his views of what is the true policy of this country, was in opposition to it. He was afterwards Finance Minister himself for a number of years, and had a series of deficits during those years. Now, when my hon. friends are back on the Treasury benches and we have entered again on an era of surpluses, the hon. gentleman is again in Opposition, naturally, and I trust he will remain there. This resolution, I am quite sure, will be regarded, by the Conservative party at any rate, in this country with satisfaction. It must be to them a matter of sincere congratulation that the only charge that can be made against the Government, the only resolution that can be formulated against them, is a general resolution in amendment to the motion to go into Supply, that the Government have so well managed the affairs of the country that they have a large surplus, and, therefore, ought to give back something to the people. There is no charge in this resolution, as I read it, that the expenditure is excessive. We are almost entirely through the Estimates. Every item has been criticized by hon. gentlemen opposite and no vote has been taken on any item; no indication of serious opposition to any proposals made by the Government has come from hon. gentlemen opposite. It is quite true the expenditure has increased. I venture to say the people will rejoice that we have entered on a period in which the revenues of the country, under a wise fiscal system, are such as to enable the Government to enter upon the prosecution of those public works which the years of deficits compelled us to postpone. That is the position in which we stand to-day. Works which have been earnestly desired by the people in various parts of the country for a number of years past, but which they were compelled to do without, because the revenue would not permit the expenditure on them, are now entered upon. As a

consequence of that we undoubtedly have incurred increased expenditure, but it is an increase that goes back to the people themselves. We can remember, two years ago, when the Ontario Government appealed to the people, and the charge was made against them they had largely increased the expenditure. What was the answer made? Their supporters in any township would point to the expenditure in that township, and tell the people that so much of the surplus had been expended in their midst. The feeling of the people was, that, after all, that expenditure made among the people was of great advantage in the development of the country, and the promotion of its prosperity by means of that development. To-day we have, in the Estimates brought down, undoubtedly large expenditures in connection with public works, which, for some time past, have been compelled to be postponed, but which now, owing to our improved position, we are enabled to go on with. The first feature of the resolution, its preamble in fact, if a resolution can be said to have a preamble, is the assertion that during the election of 1878 the statement was made that there would be no increase of taxation. What are the facts? Did the hon. gentleman who has just taken his seat, when he made his last Budget Speech, pretend that the affairs of the country could be carried on without increased taxation? His statement was to this effect: that there was a great public question agitating the people which would have to be decided at the polls, and on which would depend how that increase was to be made, how the Tariff was to be readjusted, and he did not choose to impose a burden of taxation at that moment, because the people might decide that it should be imposed in a different way to that in which he desired to impose it. But there was no question on the part of hon. gentlemen opposite, that increased taxation was not required to meet the ordinary expenditure of the country. We know what was the common parlance in this country in relation to our Tariffs. We know we had a 15 per cent. Tariff and a 17½ per cent. Tariff, and many people talked about a 20 per cent. Tariff. When it was stated in a western paper, that the right hon. gentleman who leads the Government to-day, had asserted that we were to have a 35 per cent. Tariff, everyone understood it to mean a 35 per cent. as distinguished from a 17½ per cent. Tariff which was in existence at the time. They understood it to mean a double taxation. What was the answer given to that? It was that it was an absurd mistake, that it was not the object of the Government to increase taxation in that sense, not to increase it for protective purposes. An increase, in the nature of things, had to be made, according to the admission of both parties in the preceding Parliament, for the purpose of meeting the necessary expenditure of the country, but it was intended to readjust the Tariff with the view to promote the interest of the country. But the hon. gentleman tells us that the expenditure which the late Government had to make was due to the burdens which they had inherited from their predecessors. What burdens did they inherit? Will they pretend to say a Canadian Pacific Railway to construct was one of those burdens? What is the doctrine they have preached during the last three Sessions of the last Parliament? That there was no obligation to go on with that road at all. If that was the burden resting on hon. gentlemen opposite—if there was a pledge so solemn in the matter that they were compelled to fulfil it to the extent of imposing upon the people fresh, exhaustive taxation, as they say, to the amount of \$3,500,000, what becomes of all their statements, heard lately, that there was no obligation on the part of the country to go on with this work at all?

An hon. MEMBER. Who said that?

Mr. WHITE. There was hardly a dollar practically expended on this work at the time those hon. gentlemen entered office. They undertook it as a Government work

themselves, and assumed the responsibility of carrying it on as a Government work; and if the recent statements they have made, if the arguments they have used, have any force whatever, it was open to them at that time to have said: "The burdens of this country will not permit us to go on with this work, and we will abandon it altogether." They had as good a right to abandon the section between Thunder Bay and Winnipeg as the line through British Columbia. The whole work was pledged to the people of the Dominion, and when they have undertaken, recently, to say that the pledge was not one the Government was called upon to fulfil, it does not now lie in their mouths to assert that a burden rested upon them when in office, and that in consequence of the action of their predecessors they had to increase the expenditure. I do not complain of that increase. They undertook it, but on their own responsibility; and not because they inherited it as an obligation from their predecessors. And so, also, the large expenditure on the canals they might have stopped. Hon. gentlemen opposite were not bound to enlarge them, unless, as a matter of public policy, they believed that they should be enlarged. That was the only other serious burden they can pretend they inherited; but they seemed to undertake the work and let the contracts for it, as a matter of public policy of which they approved—nay, more as a work for which their friends in the press claimed special merit; and now they have the effrontery to come here and say that the large expenditure they incurred in this connection, was in consequence of obligations inherited from their predecessors. But I do not think it worth while to discuss this question at any length at this time. We have, however, reason to congratulate ourselves on this fact: that after all the efforts made, and all the caucuses and sub-Committees resorted to, for the preparation of documents for circulation in the country, and everything else done, the whole thing comes down to this declaration that we ought to reduce the taxation of the country, after the Finance Minister's statement that he proposed to reduce the taxation in a very short time—as soon as it became evident it could be done without injury to the interests of the country. No one will pretend to say that a young country like this is not better with a surplus than with a deficit. We have heard hon. gentlemen opposite, in debates recently, dilating upon the able action of the United States Government in reducing their debt by large annual payments. They have done it by ordinary annual taxation; but they might have remitted a portion of the taxation and retained the original debt. The amount of surplus which the hon. gentlemen now on the Treasury benches, the gentlemen who occupied them from 1867 to 1873, accumulated in that period was \$10,000,000, which constituted, practically, a reduction by \$10,000,000 of the public debt. The \$3,500,000 of surplus expected for this and next year will be also a reduction of the public debt to that extent. The hon. member for Gloucester (Mr. Anglin) with his bovine shake of the head, pretends to sneer at this view. What he pretends to say is this: that if we raise a surplus of revenue over expenditure, and spend it upon services for which we should otherwise have to borrow an equal amount, there is no practical reduction of the public debt. It may be that, without that surplus, we should not have undertaken such works; but if we do thus expend millions, having been able to get them out of revenue alone, we do practically effect to this extent a reduction of that debt. I congratulate the Government that, after all the efforts of hon. gentlemen in Opposition, it comes down simply to this: we have one of the familiar bits of ancient history in relation to the pre-election speeches of hon. gentlemen, a misapplication of the fair, reasonable, legitimate meaning of those speeches, followed simply by the statement that we have a large surplus in the public Treasury which hon. gentlemen opposite want us to get rid of, because they are unwilling, having revelled five years in

Mr. WHITE (Cardwell).

deficits themselves; that any other Government should have a surplus in the public Treasury.

Mr. ORTON. I wish to make only a few remarks in reply to observations of the late Finance Minister, so notorious for deficits, who has labored, with his colleagues, to convince the House and country that the National Policy has resulted in increasing the burdens of the people. I propose, in the first place, to lay a few facts before the House in reference to the effect of that policy, which is seen in the greater prosperity of the people. If hon. gentlemen opposite will stop their noise, and hear me with patience, I shall not occupy much time. The facts I wish to submit concern the agricultural interests of Canada. My figures will show that the duty on grain has proved highly beneficial to our farmers.

Sir JOHN A. MACDONALD. I really must rise to a question of order. The House is in such a disorderly state, that an hon. member is not able to perform his duty towards his constituents. My hon. friend, who does not often trespass upon the House, and never at unreasonable length, is entering into most important statistics, showing the value of the National Policy as regards our farmers. I am not surprised at hon. gentlemen opposite making this noise, for they do not want the fact to go before the country; but I believe the House, as a whole, wants to know the effects of this policy with respect to the agriculturists of Canada.

Mr. ORTON. I will read some statistics which I hope will prove interesting to the House:

	Imported and entered for Consumption after deducting amount re-exported.	Imported for Consumption.	Decreased Import, or additional Market to Canadian Farmer.
	1877.	1880.	
Oats, bushels	672,095	78,867	600,000
Barley, do	128,319	13,155	115,000
Indian Corn, do	4,180,000	1,677,445	2,502,555
Rye, do	65,414	5,880	60,000
Wheat, do	2,911,111	10,176	2,900,000
Total bushels...	7,956,939	1,785,523	6,177,555

An increase in the home market, by the exclusion of American grain for Canadian cereals, of the large amount of 6,177,555 bushels, about one-half of our total export of cereals. Besides which \$135,512 of a revenue was collected to lighten the burden of taxation of Canadian farmers. I wish also to call attention to the additional market for grain given to the Canadian farmer and the Canadian miller in regard to the article of flour. Of wheat flour there were 440,000 barrels less imported from the United States in 1880 than in 1877 under the old policy, or an additional home market—the best of all markets—of no less than \$2,300,000, there being besides an increased revenue from the flour which was imported of \$50,128. In other flour and Indian meal there is an increased market at home of 131,665 barrels, and a revenue collected off United States meal and rye flour of \$86,360. The total revenue collected from United States cereals, flour and meal, by the operation of the National Policy, in 1880, was \$272,000. Then, with regard to horned cattle and other animals raised and sold by the farmer, the following figures will show the bene-

fiel effects of the National Policy upon the farming community:—

Animals.	1877.	1880.	Decreased Im- port, or addi- tional Market to Farmer.
Horned Cattle.....	6,585	3,170	3,415
Horses.....	1,441	1,008	433
Sheep.....	11,617	8,557	3,060
Swine.....	13,611	11,331	2,280
Totals.....	33,254	24,066	9,188

Notwithstanding the reduction of the imports in consequence of the higher duty, the revenue from this source was greater by about \$3,000 than it was in 1877.

House divided.

Amendment (Mr. Blake) negatived on the following division:—

YEAS :

Messieurs

Anglin,	Geoffrion,	Paterson (Brant),
Bain,	Gillies,	Pickard,
Béchar, d,	Gillmor,	Rinfret,
Blake,	Gunn,	Robertson (Shelburne),
Borden,	Guthrie,	Rogers,
Bourassa,	Haddow,	Ross (Middlesex),
Brown,	Holton,	Rymal,
Burpee (St. John),	Huntington,	Scrifer,
Burpee (Sunbury),	Killam,	Skinner,
Cameron (Huron),	King,	Smith,
Cartwright,	Laurier,	Snowball,
Casey,	Macdonell (Lanark),	Sutherland,
Casgrain,	MacDonnell (Inverness),	Thompson,
Charlton,	Mackenzie,	Trow,
Cockburn (Muskoka),	Melisaac,	Weldon,
Dumont,	Malouin,	Wheler,
Fleming,	Mills,	Wiser.—53.
Flynn,	Olivier,	

NAYS :

Messieurs

Allison,	Girouard (Jac. Cartier),	Méthot,
Arnell,	Girouard (Kent),	Mongenais,
Bannerman,	Grandbois,	Montplaisir,
Barnard,	Hackett,	Mousseau,
Beaty,	Haggart,	Muttart,
Beauchesne,	Hay,	O'Connor,
Benoit,	Hesson,	Ogden,
Bergeron,	Hilliard,	Orton,
Bergin,	Hooper,	Onimet,
Bolduc,	Houde,	Patterson (Essex),
Boulbee,	Harteau,	Pinsonneault,
Bourbeau,	Ives,	Platt,
Bowell,	Jackson,	Plumb,
Brecken,	Jones,	Pope (Compton),
Brooks,	Kaulbach,	Pope (Queen's),
Bunster,	Kilvert,	Poupore,
Bunting,	Kirkpatrick,	Richey,
Burnham,	Kranz,	Robertson (Hamilton),
Cameron (Victoria),	Landry,	Rouleau,
Carling,	Lane,	Rouhier,
Caron,	Langevin,	Royal,
Cimon,	Lantier,	Ryan (Marquette),
Colby,	Little,	Ryan (Montreal),
Costigan,	Longley,	Rykert,
Coughlin,	Macdonald (King's),	Schultz,
Coursol,	Macdonald (Sir John),	Scott,
Currier,	McDonald (Cape Breton),	Shaw,
Cuthbert,	McDonald (Pictou),	Sproule,
Daly,	Macmillan,	Strange,
Daoust,	McCallum,	Tassé,
Dawson,	McCarthy,	Tellier,
DeCosmos,	McConville,	Tilley,
Desaulniers,	McCuaig,	Valin,
Desjardins,	McDougall,	Vallée,
Domville,	McGreavy,	Vanasse,
Deull,	McInnes,	Wade,
Drew,	McKay,	Wallace (Norfolk),
Dugas,	McLennan,	Wallace (York),

Elliott,  
Farrow,  
Fitzsimmons,  
Fortin,  
Gault,  
Gigault,

McQuade,  
McRory,  
Manson,  
Masson,  
Massue,  
Merner,

White (Cardwell),  
White (Hastings),  
White (Renfrew),  
Williams  
Wright.—131.

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

AFTER RECESS.

House resolved itself into Committee of Supply.

73. Construction of Wharf and Elevator, Halifax  
terminus..... \$130,000 00

Mr. BLAKE. I asked my hon. friend the Minister of Agriculture to give the House some information with regard to the experiment of sending a train loaded with grain over the Intercolonial to Halifax. Perhaps he would tell us now the number of cars in the train, the expenses of moving, including terminal charges, and whether the rate of 30 cents covered all these expenses.

Mr. POPE (Compton). There were 16 or 17 cars in the train, and they carried about 12 tons each. As to whether they paid, the Chief Engineer reports that if the road did no other business it would not pay, but regarding this as additional to the business already done, it would make the road pay better.

Mr. BLAKE. The answer is vague. I desire to know whether the result of this experiment covers all the running expenses, and whether it could be continued in future. I have heard that it was the opinion of an officer of the hon. gentleman that this rate would pay the expense of moving, provided he received return freight, and that this calculation was based upon that.

Mr. POPE. My hon. friend knows very well that this was only a trial. There were no arrangements made for receiving the train, and no elevators to receive the grain, consequently there was very little carried. The Chief Engineer says that if they depended entirely upon carrying this freight it would not yield much profit—perhaps it would not yield any profit. He says that this increased traffic mixed with the other, makes it advantageous for the road to carry it.

Mr. MACKENZIE. Would the hon. gentleman get the Chief Engineer to state what the cost of running the train was?

Mr. POPE. He says that the price fixed was 30 cents per quarter, as the minimum rate, and this rate pays the cost of moving.

Mr. BLAKE. What was the cost of moving that train from Quebec to Halifax?

Mr. POPE. The cost of that particular train is not made up. The price of 30 cents is supposed to include all the charges.

Mr. MACKENZIE. There being seventeen cars to the train, and each car holding 400 bushels, that would make 6,800 bushels altogether. At 3½ cents per bushel, this amounts to \$255 as the earnings of the train from Point Lévis to Halifax. Against that is to be the cost of running the train per mile, and the terminal charges of loading and unloading. It would be very satisfactory to the Committee if these terminal charges could be ascertained, and I am surprised that, knowing this vote was to come on, we are not furnished with an exact statement. It was an experimental cargo and Parliament is expected to express some opinion on the matter, but are not in a position to do it. We have merely a general statement that it is supposed to be a minimum rate.

Sir RICHARD J. CARTWRIGHT. According to the data furnished us by the hon. Minister the cost of this cargo was one-fifth of a cent per ton per mile. It would be

interesting to know if goods can be moved along the Intercolonial for one-fifth of a cent per mile.

Mr. POPE. My hon. friend is mistaken; it would not be one-fifth of a cent, it would be a little under one-third of a cent per mile, and it was upon that basis the train was made up. That is not a right way to put the thing before the House. If the hon. gentlemen themselves were conducting this business that is not the way they would do, because they know that we are short of freight, and if you can make up a train of freight in addition to the business already done on the road, you could afford to run it cheaper than if there were no other business. The returns of the road show in fact that during the last year there has been much less loss in running that road than there ever was before. Every increase of freight goes a little way towards diminishing the loss of running the road.

Mr. BLAKE. It is certain that if the hon. gentleman increases his business by carrying a larger quantity of stuff at a loss, the aggregate losses will not make a profit.

Mr. POPE. The undertaking is an experiment, and the more loaded cars are taken, the more money we can make, even if we take them at a less rate per ton.

Sir RICHARD J. CARTWRIGHT. The hon. gentleman tells us that the rate fixed is one-third of a cent. per ton, per mile. He also says he took 200 tons for some 647 miles, which, at that rate, would be very near \$400 for the whole distance, where I understand he is only charging about \$240 or \$250. I think his calculation requires to be revised.

Mr. POPE. I did not say we were charging one-third of a cent. I said a little under one-third.

Sir RICHARD J. CARTWRIGHT. It is so much under one-third that it amounts, I think, to exactly one-fifth of a cent.

Mr. ANGLIN. If this experiment related only to the carrying of grain, the hon. gentleman could, no doubt, afford to carry it at a very cheap rate. It would be interesting to understand exactly what expense is incurred at Halifax—whether the grain is merely emptied from the cars to the vessels, or whether it is stored there. Another important question connected with the working of this railway, to which I think the officers in charge should turn their attention, is the possibility of bringing coal in considerable quantities as a return freight from Nova Scotia to the upper Provinces. At present the current of trade is nearly all the one way, and as the cars have now to come back empty, surely they could bring back coal at moderate rates. It is very important that we should develop that trade as much as possible. At present the people of the Maritime Provinces believe that this road is used almost exclusively for the advantage of the merchants and manufacturers of the upper Provinces. If it could be shown that coal could be carried at such rates why not bring it as far west as Montreal. I believe some coal has been sent that far, but that was owing to a sort of coal famine that prevailed there and made the price of coal very high in that city.

Mr. GAULT. I do not think the cars came back altogether empty from Halifax. I saw that yesterday several car loads of sugar came from Halifax to Montreal, and every day three or four car loads come to Montreal.

Mr. LANDRY. I wish to congratulate the Government upon the special interest it evinces towards Nova Scotia by causing a special amount to be voted for the construction of an elevator at Halifax. I do not doubt that the Government has done this merely with the view of doing justice to that Province; it makes me hope that it will not overlook the just claims of the Province of Quebec, and that if one of the termini of the Intercolonial may depend on Government favors, the other

Sir RICHARD J. CARTWRIGHT,

may reasonably expect the same favors, or, in other words, that the St. Charles Branch will be granted to us as was the elevator to Halifax. I will take advantage of this occasion to call the attention of the Government to an article which lately appeared in the press, and which refers to the management of the Intercolonial. A most serious charge has been brought against one of the principal officials of the Intercolonial. An investigation has been asked for, and it appears that the Government has appointed, as a commissioner to enquire, Mr. Schreiber or Mr. Pottinger. The press assert that it is Mr. Schreiber. Now, it appears that that gentleman does not understand a word of French, whilst, on the other hand, the complainant and the witnesses in support of the charge do not understand a word of English. Under such circumstances the Government should render justice to the French population residing on the line of the Intercolonial, and appoint, in the interests of the case and in the interests of the accused party himself, a commissioner speaking both languages. I do not ask that the Commissioner should know French only, but I think that he should at least understand it, in order to be able to take all the evidence and render justice to the interested parties. It is also my duty to call the attention of the Government to the undeniable and unjustifiable fact that on the Intercolonial, viz., on that part which extends from Point Lévis to the boundary line of the Provinces of New Brunswick and Quebec, there are several officials who do not understand a word of French. I do not think that, for our own part, we would suffer such a state of things to exist either in New Brunswick or in Nova Scotia; I do not think that even in the Province of Quebec we would tolerate an employé who did not know English. Under these circumstances, the Government should at least insist that the officials employed in our own Province, and who come into daily contact with the population of our country districts, should speak, or at least understand French. Last year, a deputation waited on the hon. Minister of Railways, and was at that time given to understand that the present assistant-superintendent, Mr. McDonald, should be promoted sooner or later, whenever he should have acquired the necessary experience that should render him useful to both the Government and the public. For over a year has this gentleman served his apprenticeship, and I think that the record of his services is such that the Government can employ him without hesitation; and that, according to the promise made by the hon. Minister of Railways, the time has come when Mr. McDonald should be appointed superintendent of that part of the road which is in the Province of Quebec, thus leaving to other superintendents the part which is in Nova Scotia and New Brunswick. This would not in any way interfere with the Government's routine with regard to this administration; it would keep its general superintendent to watch over the whole line, and for every division representing a separate Province, we might have, at least in our Province, officials understanding the French language, and I claim this as an act of justice towards my Province, in the strongest fashion.

Mr. LANGEVIN. Mr. Chairman, in answer to the first question put by the hon. member, to wit, whether the Government has appointed a Commissioner to hold an investigation concerning an official connected with the Intercolonial Railway, and stating that this official does not understand the French language, I must, in the first place, tell the hon. member that I appreciate a good deal—and I am sure that the gentleman in question will appreciate it also—the sympathy that he shows him, because he does not understand the French language; it is a qualification he lacks, but I hope that it is not too late for him to get acquainted with it within a short time. With regard to the investigation referred to, the hon. member need not be anxious, for it is not going to be held by the official he has named. The Commissioner who is to be sent will understand

French and English equally well, and he will consequently be able to hear the evidence in the language most familiar to the witnesses. The objection raised by the hon. member with regard to the superintendent of the road, falls therefore to the ground of itself. With regard to the officials on the road, the hon. member must remember under what circumstances the Government appointed the employés on the line between Rivière du Loup and Lévis. When the Grand Trunk sold its road to the Government, the latter found itself in the following position: it is true it was not compelled to maintain all the officials employed up to that time, but nevertheless, it was compelled, during a few days, to avail itself of the services of those officials to work the road; then it chose among the officials in the service of the Grand Trunk the number required to complete its staff, and of course the Government chose the most efficient. The hon. member must, moreover, remember that when the question came before the House last year, and it was asked how many English-speaking and how many French-speaking officials were employed, I answered that at least three-fourths, if not four-fifths, of the officials spoke French, and about one-fifth spoke English; consequently, the proportion was the same as that of the two races which constitute the population of the Province of Quebec. Now, it is true that it often happens that railway employés who do not know French come on to the Rivière du Loup line, but that is unavoidable. You cannot help it if train officials starting from Moncton, Templeton, or any other station outside of the Province of Quebec, and who come with passengers or freight into the Province of Quebec do not speak French; you must take them such as they are, as is done in the case of our employes who start from the Province of Quebec and go into the Maritime Provinces. But, will say the hon. member, our employés know both languages. He is perfectly right, and it is an advantage that they have over the others, but it will always remain so that the employees of the other Provinces, who bring their trains into the Province of Quebec, and who travel with what is called a through train, will not know French; but, as a rule, the department is anxious that the officials employed on the line between Lévis and New Brunswick should know both languages. Now, with regard to the superintendent, the hon. member must remember that, at first, there was not any knowing both languages, or, at any rate, sufficiently acquainted with French to enable one to say that he was an employé having a good knowledge of French; the matter having been represented, the Railway Department appointed an assistant, Mr. McDonald, who, whilst bearing an English name, is, like many others, as French as we are. This gentleman, knowing both French and English, was considered better qualified than anyone else to fill the position. I can quite appreciate the hon. member's wish to see Mr. McDonald become the superintendent of the road, and there is no one in this House who would be happier than I would be to see him attain that position. He is an able officer, who fulfils his duties satisfactorily, and who deserves promotion. I am convinced that the time will come when he will receive such promotion, which he will certainly have earned; but I would recommend the hon. member, after the explanation I have given him, not to press the question with regard to Mr. McDonald. I think it is better for Mr. McDonald that he should obtain his promotion through his services, and I feel sure that the Minister of Railways will not forget the recommendations made in favor of Mr. McDonald.

Mr. LANDRY. I have but one remark to make with regard to what has fallen from the hon. Minister of Public Works, when he asks me not to press for the appointment of Mr. McDonald. I will merely answer him in his own words, and speaking of Mr. McDonald, I will say with him: He has long since deserved his promotion.

Mr. LANGEVIN. There are many officials who have earned promotion, but to whom it cannot be given, as there are no vacancies; therefore let the hon. member be patient, and I feel sure he will not lose anything by it.

Mr. GRANDBOIS. I wish to ask the hon. Minister whether it is the intention of the Department to enable the restaurant at Trois-Pistoles to procure, by some means or other, better water than what it gets at present. This restaurant is much frequented, and the spring from which the water is obtained at present gives very bad water. For some time past it was asked that this should be remedied; it is a small matter, and should at once be attended to.

Mr. LANGEVIN. I am familiar with the water in connection with the Trois-Pistoles restaurant, because when I ruled the Department during the absence of my colleague, the Minister of Railways, who was in England, it came up before me. I caused an enquiry to be made, as I had been informed that water could be supplied at a very moderate rate, but the report established that the expense would be considerable, far more considerable, in fact, than the Department could afford. Under the circumstances, the Department granted a small sum to the restaurant keeper to enable him to procure water at a small distance from the village. I can quite well understand that at Trois-Pistoles one would like to have an aqueduct, which, whilst giving water to the restaurant, would supply the village with it. This is easily understood, and I fully appreciate the interest my hon. friend shows in the matter, but I am afraid that the Railway Department cannot grant the aqueduct to Trois Pistoles, unless the municipality offers to divide the expenses of building it with the Government. If the spring which furnishes water to the restaurant does not give good water, then a complaint should be made to the keeper of the restaurant; moreover, a complaint made to the Department would receive attention, for it would insist upon the keeper of the restaurant obtaining good water for the purposes of the restaurant. Besides, the hon. member knows full well that there is water at Trois Pistoles; the village and the parish get water, and if everyone in the village can get water for their use, the keeper of the restaurant can assuredly get what he requires for his restaurant. I think that the hon. member will understand that if an aqueduct is required, the municipality should offer to share the expense with the Government.

74. Canada Central extension (subsidized) ..... \$280,000 00

Mr. BLAKE said the company had deposited with the Government a considerable sum of money, which was to be paid out as the road progressed, but he did not understand that that was the course which was now being taken.

Sir LEONARD TILLEY. The proposition is made under the terms and provisions of the Act.

Mr. BLAKE. We have endorsed their bonds.

Mr. WHITE (Renfrew). The proceeds of the bonds were deposited with the Government to be paid out as the construction of the road proceeded. I suppose these are the proceeds of the bonds that were deposited with the Government, and as the work of construction progressed the company was entitled to get the money from the proceeds of the bonds. The work is progressing very favorably. About seventy miles of the line north-west of Pembroke have been operated since December last. A large portion of the work between that point and Haliburton station is in a very forward state of progress, and before the end of the next financial year the whole of the road to Callander station will be completed, and the company will be entitled to the amount deposited with the Government as the proceeds of their bonds, the Government all the time receiving a sufficient sum for the payment of interest,

Mr. BLAKE. This company had a choice of receiving a subsidy in bulk or guaranteed interest on bonds. The first alternative was adopted, but a change was made to the other. It was necessary for the Government to take security, and \$1,500,000 was taken for the completion by the company of their obligation. What we pay out now is simply deposit money; but the Finance Minister says we are going to pay interest on the money.

Sir LEONARD TILLEY. We are paying the money out as it is earned.

Mr. PLUMB. The hon. member for West Durham is in the same entanglement as he was during the Pacific Railway debate.

75. Railway between Prince Arthur's Landing and Red River, including Pembina Branch..... \$3,385,030 00

In answer to Mr. BLAKE,

Mr. POPE (Compton). The amount is made up of the following items: Fort William to English River, \$45,000; English River to Eagle River, \$940,000; Eagle River to Keewatin, \$2,000,000; Keewatin to Selkirk, \$350,000; Pembina Branch, \$50,000.

Mr. ANGLIN. Why should we expend \$50,000 more on the Pembina Branch, when it became the property of the Pacific Railway Company, according to the terms of the contract.

Mr. POPE. \$50,000 is required to complete the ballasting and bridging, and also the fencing, for which contracts have been let.

Mr. ANGLIN. I do not remember any stipulation in the contract with respect to placing the Pembina Branch in a better condition than it was at the time the Pacific Railway agreement was ratified.

Mr. MACKENZIE. The Minister of Railways, when the Pacific Railway items were taken up, invariably gave a very exact statement of the position of the various contracts; but the House is now asked to vote the money asked for without having any information of that kind submitted. I want to know for what purpose money is required for the Pembina Branch, for we were told last year by the Minister of Railways that that branch was completed with the exception of an amount required for station houses. We want to know the conditions of the other contracts. The report of the Minister I have not seen. I do not know whether it has been issued or not. I know nothing about the state of the line for which votes are asked here. We ought to have some general information about the entire line. I would like to know also in connection with this, for it is quite germane to the purpose, something about the grades and curves upon the British Columbia contracts now under construction. What is the maximum and minimum grade? What is the radius of the various curves? Have they been increased or decreased? Is there an actual survey on the rest of the road from Yale to Port Moody?

Mr. POPE (Compton). So far as the curvature is concerned, the opinion of the engineer is that they will get through without, perhaps, increasing the curves at all. With respect to the items, the item of \$45,000 is required to get another ballast lifter on account of the settling of an embankment. The \$940,000 is required to make payment for work executed during the year on contract 41; the \$2,000,000 is required to meet payments for work executed during the year on contract 42; the \$350,000 is required to complete the ballasting of contracts Nos. 14 and 15, and the earthwork, &c., on contract 15; the \$50,000 is required to complete the ballasting, bridging and fencing of the Pembina Branch.

Mr. BLAKE. I do not find anything whatever in the Canadian Pacific Railway contract or the proposed charter, Mr. WHITE (Renfrew).

or any ministerial statement made on the subject, to show that we were to spend a shilling on the Pembina Branch.

Mr. POPE. It was understood.

Mr. BLAKE. By the Syndicate perhaps.

Mr. POPE. By the House, that the whole of the road handed over was to be handed over complete.

Mr. MACKENZIE. Were the first 100 miles west of Red River also to be handed over completed?

Mr. POPE. No.

Mr. MACKENZIE. The same language that applies to one applies to the other.

Mr. POPE. No.

Mr. MACKENZIE. Besides, the Pembina Branch was completed. It was ballasted last year.

Mr. POPE. It is not ballasted now. A portion of the ballasting has yet to be completed.

Mr. MACKENZIE. What thickness of ballast has been put over the Pembina Branch?

Mr. POPE. My hon. friend, I think, put about 2,000 yards to the mile.

Mr. MACKENZIE. I want the number of inches, the depth in inches.

Mr. POPE. 2,009½ yards and 7¾ inches.

Mr. MACKENZIE. It does not become an hon. Minister when asked a question by a member of the Opposition, to give an answer such as he has given.

Mr. POPE. I would not if the hon. gentleman asked a proper question.

Mr. MACKENZIE. I asked a proper question. I want to know how many inches in depth of ballast has been put on this road.

Mr. POPE. My hon. friend knows well he never let a contract for ballast in his life, except for so many yards to the mile.

Mr. MACKENZIE. I am not speaking of the contract at all, but of the number of inches in depth of the ballast. Sometimes a road is run without any ballast, as this one was, and sometimes it is run with three inches of ballast, but a good road requires nine or ten inches.

Mr. POPE. Not at all. Six inches may make a good road.

Mr. MACKENZIE. I will not quarrel about the number of inches. What I want to know is the number on the Pembina Branch.

Mr. POPE. We never at any time, nor did the hon. gentleman, make a contract to ballast a road by the inch.

Mr. MACKENZIE. I do not say it was ballasted by the inch, but you must know how much was put on the road.

Mr. POPE. No.

Mr. MACKENZIE. I can only say that the department is in a state of most deplorable ignorance.

Mr. POPE. I can say somebody else displays a good deal of ignorance.

Mr. MACKENZIE. The hon. gentleman can say as many offensive things as he likes. We want proper information and it is refused. We ask nothing but what any engineer on the road can give in a moment.

Sir JOHN A. MACDONALD. The hon. gentleman seems to think he has a monopoly of saying disagreeable things. He says the department is in a state of deplorable ignorance. I do not think it has deteriorated since he was at its head. It stands as high, its knowledge is as great, and the readiness to answer questions is much greater now than it was when the hon. gentleman was in office. The question has been asked whether we were in any way

obliged to finish the Pembina Branch. The whole Pacific contract runs in this way, that the unfinished portions of the road shall be handed over under contract, and those contracts will be completed by the Government. We were not going to hand over any portion of the road without finishing the contract already entered into, and if those contracts were finished those sections would be handed over to the Syndicate. The 100 miles west of Red River are to be considered as if built by the Syndicate's money, and are to be paid for by the Syndicate, as are also the second 100 miles built by the Government.

Mr. MACKENZIE. Will the hon. gentleman state who had the contract for ballasting at the time the contract was made with the Syndicate?

Sir JOHN A. MACDONALD. I cannot tell.

Mr. POPE (Compton). Messrs. Murphy & Upper.

Mr. MACKENZIE. Have they an unfinished contract?

Mr. POPE. They have.

Mr. MACKENZIE. The First Minister says that when I was Minister of Public Works it was my custom to refuse answers to such questions. I defy the hon. gentleman to take the *Hansard* and recall a single instance where I refused to answer a question.

Sir JOHN A. MACDONALD. We can find in *Hansard* what was stated, but not what was not stated. The hon. gentleman used to enter into lengthy details in his speeches, and very ably, too, when bringing forward any measure; but when questions were asked, he very frequently declined to make any answer, and his supporters would call "question."

Mr. MACKENZIE. No.

Mr. ANGLIN. I remember that when the member for Lambton dealt with those questions as a Minister, he gave full and exhaustive explanations of the state of the works, and of what he proposed doing during the next fiscal year. After that, he was subjected to very severe examination, and never refused to answer any question put to him. But when the same question was repeated over and over again, after he had given full explanations five or six times, for the purpose of worrying and annoying him, and of endeavoring to create the impression that he was refusing information which he had laid before the Committee half-a-dozen times, he several times said—the question has been answered several times already. But he never refused any information asked for that I can remember. We all regret the cause of the absence of the Minister of Railways, and understand that the Minister who temporarily supplies his place cannot be expected to afford as full information as he himself could, if present. But we ought to have had statements prepared by the officials, of all those matters. The course taken by the Minister of Public Works might very well have been followed in this case. It seems strange that we are asked to vote \$50,000 ostensibly for work to be done after 1st July, 1881, and are then told that it is to pay for work done some time ago. That is not the usual course followed. With regard to the understanding as to the Pembina Branch, nobody ever imagined that that branch, which has been working for a long time past, was to be regarded as one of those sections under contract, or that we should be called on to spend \$50,000 on what has really become the property of the Syndicate.

Mr. BLAKE. The position the right hon. gentleman takes is wholly indefensible. It is not a question of understanding, but a question of contract, and the contract is to be found in the 6th section of the Charter, as follows:—

"Unless prevented by the act of God, the Queen's enemies, intestine disturbances, epidemics, floods or other causes beyond the control of the Government, the Government shall cause to be completed the said Lake Superior section, by the dates fixed by the existing contracts for the con-

struction thereof; and shall also cause to be completed the portion of the said western section now under contract, namely, from Kamloops to Yale, within the period fixed by the contracts therefor, namely, by the 30th day of June, 1885; and shall also cause to be completed, on or before the 1st day of May, 1891, the remaining portion of the said western section, lying between Yale and Port Moody, which shall be constructed of equally good quality in every respect with the standard hereby created for the portion hereby contracted for. And the said Lake Superior section, and the portions of the said western section now under contract, shall be completed as nearly as practicable according to the specifications and conditions of the contracts therefor except in so far as the same have been modified by the Government prior to this contract."

The stipulation and obligation of the Government on behalf of the company was to complete Lake Superior section, which is specifically defined, and which does not include the Thunder Bay Branch, or those portions of the western sections within British Columbia. I maintain the Government assumed no obligation to enter into any engagement to spend new money or make new work on this Pembina Branch. The hon. gentleman says he proposes a vote to pay for some fencing on that branch, the work to begin on 1st July next. I hold there is nothing in the contract to justify that, and that the money is only another present to the Syndicate.

Sir JOHN A. MACDONALD. We will suppose for a moment that the matter is exactly as the hon. gentleman (Mr. Blake) says—that the Syndicate had no right to have this branch completely finished. One thing is clear, if the Government have made any contract with parties, it must be performed. The Government are obliged to see the contracts performed, and can charge the cost to the Syndicate.

Mr. BLAKE. The hon. gentleman says a portion of the vote is for fencing, work which is not under contract.

Mr. POPE (Compton). It is.

Mr. BLAKE. When was it put under contract?

Mr. POPE. A long time ago.

Mr. BLAKE. How long will it take to complete the fencing contract?

Mr. POPE. Till about July or August next.

Mr. MACKENZIE. When in office it was my custom, and I have no doubt it is the custom of the present Minister of Public Works, to have a book kept in the office, where particulars of every contract given out were entered. I would ask the hon. gentleman, therefore, to give particulars of the existing contracts upon the Pembina Branch, namely: their dates, what for, how much money has been paid on them, and how much of the work remains uncompleted? That information we are entitled to, and it is such as I always gave when I was Minister of Public Works.

Mr. PLUMB. The hon. member for Gloucester (Mr. Anglin) has drawn upon a very vivid imagination in speaking of the courteous manner in which the late Minister of Public Works used to treat members of the Opposition when they used to ask him for information as to his department. The hon. gentleman's statement, supported as it is by the hon. member for Lambton, is one which will be contradicted by every one who sat on that side of the House between the years 1874 and 1878, and contradicted with perfect accuracy and truth.

Mr. MACKENZIE. I can only say to the hon. gentleman who has just spoken, that I do not attach a great deal of importance to his censure, for the simple reason that he is always ready to back up any statement made by the Prime Minister, or any opinion supposed to be the opinion of the Prime Minister; and if his leader should happen to come in the next moment and order him to vote the other way, he would readily do it.

Mr. POPE (Compton). I do not admit, in the first place, that I refused to answer any question asked by the hon. gentleman which was a proper question, and I say again

that no one ever took a contract of this kind except at so many yards per mile.

Mr. MACKENZIE. I said nothing at all about that.

Mr. POPE. That is the answer I gave, the only answer which the hon. gentleman could have had, and he had no right to ask for information when he knew perfectly well that this was the only answer which could be given. Now, with respect to the Upper & Murphy contract, the hon. gentleman let the contract, he knows what it is; and if he reads the report of the Minister of Railways, which was brought down to the House, he will see exactly what it means. This \$50,000 I may say is to pay the amount due to Upper, and to complete the work.

Mr. MACKENZIE. Will the hon. gentleman not give us the particulars of the contract?

Mr. POPE. The hon. gentleman will find them in the report.

Mr. MACKENZIE. Then I must say there is a different practice in the department from that which used to prevail.

Mr. POPE. I admit that we have improved on the practice which prevailed during the hon. gentleman's time.

Mr. MACKENZIE. It is surely no improvement to have a lack of information. If that is considered an improvement, it is certainly one of a Tory character.

Sir JOHN A. MACDONALD. A satisfac-Tory character.

Mr. MACKENZIE. We got all this information last year; why not this?

Mr. POPE. I may say that, with the exception of two small contracts, one for bridging and one for fencing, the hon. gentleman got all the information last year, as he says, and why then ask for it now?

Mr. BLAKE. Will the hon. gentleman say whether any portion of this money we are asked to vote is to be paid for work to be done before the 1st of July, 1881.

Mr. POPE. I understand the hon. gentleman's question. It is possible there may be some ballasting to do. I do not say we are going to do any work whatever, or to pay one dollar before that time.

Mr. BLAKE. I did not ask the hon. gentleman whether he was going to take money, contrary to the law, and pay it out before the 1st of July, 1881.

Sir JOHN A. MACDONALD. We could not do that.

Mr. BLAKE. And therefore I do not ask the question. I asked if he was going to take it for work to be done before the 1st of July, 1881, and which ought to be provided for in the services of the current year.

Mr. POPE. It is possible that in this case, as in every other case, the fencing which is to be done may not be completed, and not paid for before July, and that this vote will cover it. It is also for these bridges which are in the contract, which we believe will not be completed before the 1st of July, and consequently will not be paid for. I do not see how the hon. gentleman can take exception to that.

Mr. BLAKE. I was not taking exception. I asked a question, and having received an answer I proceed to take a serious exception. My exception is, that the hon. Minister says we made contracts, which contracts we are bound to implement, so far as the contractors are concerned, even although we are not bound as between us and the Syndicate to improve the Pembina Branch for them. Of course, if the hon. gentleman chooses to keep the contracts alive and let the contractors do the work, he will be bound to pay; but if he chooses to keep the contract alive and let the work be done and incur the obligation and pay the money, when he might cancel the contract, save doing the work, save paying the money which he will be making a present of to the Syndicate—

Mr. POPE (Compton).

Mr. POPE. That is your way of doing business.

Mr. BLAKE. I say if you agree to hand over the Pembina Branch without agreeing to put no more money in it—you are not bound to put any more money on that branch, and if you are not, and if you are able to relieve yourselves from doing so, you are bound to relieve yourselves, and you would do so if it was your own business.

• Sir JOHN A. MACDONALD. The hon. gentleman will notice in the interpretation clause of the contract, that the words Canadian Pacific Railway are intended to mean the entire railway as described in the Act of 1874, 36 Victoria, Chap. 14—that is the main line and the two branch lines.

Mr. BLAKE. Certainly.

Sir JOHN A. MACDONALD. The seventh clause of the contract reads thus:

"The railway constructed under the terms hereof shall be the property of the Company: and pending the completion of the eastern and central sections, the Government shall transfer to the Company the possession and right to work and run the several portions of the Canadian Pacific Railway already constructed or as the same shall be completed. And upon the completion of the eastern and central sections, the Government shall convey to the Company, with a suitable number of station buildings and with water service (but without equipment), those portions of the Canadian Pacific Railway constructed or to be constructed by the Government which shall then be completed; and upon completion of the remainder of the portion of railway to be constructed by the Government, that portion shall also be conveyed to the Company, and the Canadian Pacific Railway shall become, and be thereafter the absolute property of the Company. And the Company shall thereafter and forever efficiently maintain, work and run the Canadian Pacific Railway."

Under that clause the portions of the Canadian Pacific Railway, whether constructed or to be constructed, are to be completed. The Pembina Branch is declared to be a portion.

Mr. MACKENZIE. I have been utterly unable to get any information out of the acting Minister with regard to Upper & Murphy's contract, except such information as I had myself. I will now give the hon. gentleman some information which he, as acting Minister, might be supposed to have. In the report of the hon. Minister of Railways I find the following paragraph:—

"The bridging, track-laying and ballasting over the same distance was let to Messrs. Kavanagh, Murphy & Upper, in June, 1878, to be completed in December, 1879. The contractors having failed to perform the work, it has been completed by the department."

Mr. BLAKE. The hon. the First Minister says that under the 7th clause the Government is to complete the Pembina Branch. I deny that altogether. That clause reads:

"The railway constructed under the terms hereof shall be the property of the Company: and pending the completion of the eastern and central sections, the Government shall transfer to the Company the possession and right to work and run the several portions of the Canadian Pacific Railway already constructed or as the same shall be completed. And upon the completion of the eastern and central sections the Government shall convey to the Company, with a suitable number of station buildings and with water service (but without equipment), those portions of the Canadian Pacific Railway constructed or to be constructed by the Government which shall then be completed."

They are to transfer to the Company at once, the possession of portions of the Canadian Pacific Railway already constructed, or as the same shall be completed. Then there was some portion already constructed at the date of the contract, and if it was not the portion on which trains had been running for a long time, I want to know what portion it was.

Sir JOHN A. MACDONALD. You can work a railway partly constructed.

Mr. BLAKE. There is a statement here that there are portions already constructed, and I want to know whether it was the Pembina Branch that was already constructed or some other part. If it was in another part it must have been in a less advanced state than the Pembina Branch, because the Pembina Branch was in the most forward state of any. The hon. gentleman is bound under this construction, and I

presume he has already transferred the possession of the Pembina Branch to the Company.

Sir JOHN A. MACDONALD. Not yet.

Mr. BLAKE. He proposed to do it immediately, at any rate, and in advance of the time, in order that the Company may reap the profits while he is paying for the completion out of the public funds.

Mr. MACKENZIE. The report of the Minister of Railways says it is already completed, and that the contract had been resumed by the Government. What does the hon. the First Minister say to that?

Sir JOHN A. MACDONALD. It is merely a verbal quibble on the part of the hon. member for West Durham. If he were arguing before a Court upon the construction of the language there might be some weight in it. But this road is substantially constructed, and it was so far constructed that trains have been running upon it. There remain still some portions to be ballasted, and some iron bridges to be constructed, and the road, while being so far constructed as to be capable of being run, is not completed. You will find the word "completed" is used through the whole sentence. I would like no better judge than my hon. friend if the case came before him, though not as an advocate just now.

Mr. MACKENZIE. What does the hon. gentleman say to the report of his Minister, who says the road is completed?

Sir JOHN A. MACDONALD. The hon. gentleman knows that he ran the road himself, though it was not finished. It was running in his time, but it was not completed.

Mr. MACKENZIE. Here is a statement saying distinctly that the bridging, tracklaying, and ballasting is completed. He says the contract was taken out of the contractor's hands and completed by the Government.

Mr. POPE. No; it would be completed by the Government.

Mr. MACKENZIE. He says it has been completed by the Government.

Sir JOHN A. MACDONALD. The Government took it out of their hands, and had to finish it. We have got the contracts, and we are carrying them out.

Mr. MACKENZIE. This report is of the 30th of June last, and it says that before that time the road was completed, yet the Government are asking money to ballast the road.

Sir JOHN A. MACDONALD. If the hon. gentleman will go over the road now—and from his experience he is almost an engineer—he will report that the road is not completed at this moment.

Mr. MACKENZIE. I have nothing to do with that. It would only be another instance of where hon. gentlemen opposite say things that are not always correct—not always accurate, because here is a report of the leading Minister saying it is completed. I accept his word. I am not accusing anyone of wrong-doing, but there is some mistake in asking for money to do that which the Minister of Railways has already reported to have done.

Mr. MILLS. We had this matter discussed when the Pacific Railway contract was under consideration. There was a gentleman on the Treasury benches, though he was neither the First Minister nor the Minister of Public Works, nor the Minister of Railways, but he intimated to the House that not a single dollar further was required to be expended upon the Pembina Branch. We had an elaborate calculation made by the Minister of Public Works, showing how much is to be expended on each particular section that the Government are called upon to build. He gave us the cost of the British Columbia section, of the Lake Superior section, but when we came to the Pembina section he told us that it cost \$1,556,900, and that so far as this portion of the road is

concerned the Company is paid. Now, if the hon. gentleman says that there is further work to be done and further money to be expended, it would be necessary to show that this further sum is provided for in the sum asked as the cost of the Pembina Branch, and which was stated, by the Minister of Public Works and the Minister of Railways, to be completed. It is obvious that upon the report of the Minister that was laid on the Table, and from the contract itself, that every statement made to this House was that this Pembina Branch was completed, and that all was expended that the country was called on to pay towards its construction.

Mr. BLAKE. Would the hon. gentleman say what the cost of the Pembina Branch is as it is to-day?

Mr. POPE. About \$1,500,000.

Mr. BLAKE. How much more does he expect to spend before the 30th of June?

Mr. POPE. I think if I was operating this road I would do just exactly the same as I should do with the hon. gentleman if I got him to carry on a law-suit for me. I do not suppose it will be completed before that time.

Mr. BLAKE. I suppose the hon. gentleman did not understand me, or he would not answer me in that spirit. When we are giving public money, part of which is a re-vote and part of which he is going to spend during the existing financial year, I am surely entitled to ask how much he expects to spend during the existing financial year.

Mr. POPE. I said I did not expect to pay out much money before the 30th of June.

Mr. BLAKE. What does the hon. gentleman call much?

Mr. POPE. I do not think there can be much more any way. These contracts for bridges certainly will not be completed before that time. A considerable quantity of the fencing is done, I think there is about thirty miles more to complete the contract, and I do not believe it will be built before that time. Of course it cannot be settled for until the work is done. The work will not be done before that time, and I do not expect to pay out money before.

Mr. BLAKE. Can the hon. gentleman not state more accurately what is the cost of the road?

Mr. POPE. The memorandum before me states that it is \$1,500,000.

Mr. BLAKE. That, of course, does not include any charge for working. That is construction account alone.

Mr. POPE. Construction account alone. It does not include what is going to be paid out.

Mr. MACKENZIE. Is the report correct that the contract has been taken from Mr. Upper?

Mr. POPE. Yes.

Mr. MACKENZIE. Then what is Mr. Upper doing now?

Mr. POPE. The hon. gentleman has had too much experience not to know that when a contract is taken out of a contractor's hands, any work that is done is done at his expense, and a settlement cannot be made till the work is completed.

Mr. BLAKE. The hon. Minister of Railways, in moving the adoption of the contract, said:

"The amount I submitted on estimate last year was \$1,750,000 for the Pembina Branch, but that included more than my estimate now includes for the Pembina Branch, and for the reason, as hon. gentlemen will see, the heavy expenditure charged to that branch for workshops, &c., will now devolve upon the Company, and consequently reduce the estimate to \$1,500,000.

Mr. MACKENZIE. Give us a detail of the reductions.

Sir CHARLES TUPPER. All I can say is, that I took the estimate of the engineer, charging what was fairly chargeable to that road—building in connection with its operation—and the amount of the Pembina Branch was therefore placed at \$1,750,000. We now reduce that by \$250,000,

because, as I say, the expenditure we would have had to make immediately in connection with the work now devolves upon the Syndicate under the contract."

It is now said, in order to make the Pembina Branch better for the Company, we are to spend on it \$50,000 more.

Mr. McCALLUM. It appears to me it would not be very extravagant if that road was to cost \$50,000 more. It is impossible to say how much money will be paid out, because that depends on the amount of work that will be done.

Mr. MACKENZIE. But it is known in the department what is paid every month, and that is all we want. How many miles of wire fencing have been let by contract?

Mr. POPE. The whole length of the Pembina Branch, and there is about thirty miles of fencing yet to be built. Another hundred miles was let west of Red River, but that is paid by the Syndicate.

Sir LEONARD TILLEY. I had hoped that the Minister of Railways would have been able to be here and explain every item of this estimate, but he has not been able, and everybody will admit the difficulty which my hon. friend to whom it is referred, must labor under in mastering details of this kind. It is impossible that the House should have the details of this expenditure, and before concurrence, a full statement of what composes it, together with a statement of the conditions under which the conditions will be let, will be submitted.

Mr. BLAKE. I think it was also understood that the details would be inserted in the vote.

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. POPE. The road from English River to Eagle River will be completed 1st July, 1882, so that trains can pass over it. The total cost of that section will be \$2,580,000, and a further sum will be required of \$400,000. It is expected that the road from Eagle River to Keewatin will be completed by 1st July, 1882; and from Keewatin to Selkirk by October next, and the present vote will complete the work on this section.

76. British Columbia ..... \$3,000,000 00

Mr. MACKENZIE. I asked for information regarding this item, whether any change was to be made in the grades and curves between Yale and Moody, whether any change has been made by which it is proposed to let this by contract now, or whether the entire amount is for the contracts already let in British Columbia.

Mr. POPE. It is believed the curvature and the grades can be kept as they are. The amount of \$3,000,000 is for that contract which is let.

Mr. ANGLIN. We were told the expense of the work had been reduced. In what way has it been reduced?

Mr. POPE. By the change in location, not by reducing the grades and curvatures.

77. Telegraph Lines and Roadway ..... \$70,000 00

Mr. MACKENZIE. Where is this to be expended?

Mr. POPE (Compton). \$11,000 is required to pay Sefton & Ward a drawback; Fuller, \$31,000; Oliver Davidson, \$16,000, and to build a portion of the telegraph line on the railway between Selkirk and Prince Arthur's Landing, \$12,000.

78. Station and Terminal Accommodation ..... \$50,000 00

Mr. MACKENZIE. Where is this item to be spent?

Mr. POPE (Compton). It is a revote for stations, &c., between Selkirk and Prince Arthur's Landing.

80. Lachine Canal ..... \$800,000 00

Mr. MACKENZIE. I would like some statement of the condition of the works—what portions are finished, the

Mr. BLAKE,

future expenditure required to finish them, and other particulars. I read in the papers that an accident had happened that would prevent the working of some portions of the canal, and entail additional expense.

Mr. POPE (Compton). The accident will not prevent the operating of the canal. The works of enlargement are pretty much completed, except the gates and a few bridges. The amount required to complete the works is estimated at \$500,000. To complete sections one and two and pay the final estimate, \$176,000; number three, \$432,000; numbers six and seven, \$233,027; number eight, \$56,670; number nine, \$13,670; number ten, \$22,650; number eleven, \$158,000; construction of lock-gates, \$62,700; bridges, roads, fences, &c., not under contract, \$84,000; wharf at Lachine, \$20,000; making in all a total of \$900,141.

In answer to Mr. MACKENZIE,

Mr. POPE (Compton). Mr. O'Brien has the contract for the gates.

Mr. MACKENZIE. Does he supply the timber too, or merely construct the locks?

Mr. POPE. The Government supplies the timber, a portion of which had been purchased before the contract was given out.

Mr. BOWELL. A large portion of this timber was purchased under contracts given out by the hon. member for Lambton himself, and was delivered before the present Government was formed. A portion had, under the contract, been delivered at the Welland Canal, some at Williamsburg and some at Cornwall; and the hon. gentleman allowed the oak to come into Canada free of duty, when it was dutiable at 17½ per cent.

Mr. MACKENZIE. I have no recollection of that.

Mr. BOWELL. It is true, however, for when I took office I made the importer pay the balance of duty unpaid.

81. Cornwall Canal ..... \$80,000 00

Mr. MACKENZIE. Is this to complete the existing contract.

Mr. POPE. Yes.

Mr. MACKENZIE. That is for deepening the river, I presume.

Mr. POPE. Yes.

Mr. MACKENZIE. Where is it intended to expend the money?

Mr. POPE. The sum of \$175,000 is for improving the river from the head of the Carillon Canal to Lachine to a depth of thirteen feet.

83. Welland Canal..... \$1,065,000 00

Mr. MACKENZIE. Does that complete the canal?

Mr. POPE. That is supposed to complete the canal within \$150,000 or \$160,000.

Mr. MACKENZIE. Including the bridges over the new canal?

Mr. POPE. Yes; everything.

Mr. McCALLUM. It is possible there may be some misunderstanding about that item. I remember that when the hon. member for Lambton was in office he said at one time that this canal would be completed in 1876.

Mr. MACKENZIE. I said nothing of the kind.

Mr. McCALLUM. Your report said 1877, but I do not find any fault with that because perhaps it was only a slip; but I think it is better to give no information at all than to give it inaccurately. The shipping interest have been looking far more anxiously to the enlarging of this canal, and it is of great importance that they should have correct information. When the acting Minister—who has only

been in charge of the department a short time—says that this sum will complete the work, I am sure that he does not mean to include the work upon the locks through to Lake Ontario.

Mr. RYKERT. That will cost \$3,000,000 itself.

Mr. MACKENZIE. The hon. gentleman is mistaken. We embraced the entire expenditure connected with the 14 feet enlargement, and the under work is all completed.

Mr. McCALLUM. I do not think the part from Port Dalhousie to Thorold can cost anything like that sum. I do not know that it will cost \$1,000,000. But if we expect the canal to do the work which is expected of it we must have a depth of 14 feet.

Mr. POPE. This estimate is not intended to cover the entire 14 feet enlargement, and if 14 feet is required, we have another vote of \$920,000, which is the estimate of the Chief Engineer for completing the work.

Mr. McCALLUM. I may say that with the vessels of the draft and size which will be put on that canal I fear the old aqueduct will not answer the purpose, and that a new one will be required.

85. Carillon Canal, Dam and Slide ..... \$350,000 00

Mr. MACKENZIE. I had intended to call the attention of the House, and necessarily in some detail, to the manner of letting the contract and other matters connected with this work, and as I would have to blame the hon. Minister, I am averse to doing so in his absence. I give notice, however, that next Session, if I am able to be here, I shall call attention to these matters.

86. Grenville Canal ..... \$470,000 00

Mr. MACKENZIE. What is intended to be done with this money?

Mr. POPE. The upper entrance is to be enlarged to 100 feet at a cost of \$170,000; \$250,000 is to complete the contract of Messrs. Haney, Stewart & Company, at Greece's Point, and \$50,000 is for the construction of locks, lockmasters' houses, &c.

In answer to Mr. MACKENZIE,

Mr. POPE. With the exception of Messrs. Heney, Stewart & Company's contract, the other works have not been let. It is proposed to put them under contract.

87. Culbute Canal, improving approaches ..... \$30,000 00

Mr. MACKENZIE. Are these approaches above or below? I supposed these approaches were all completed, according to the depth in the lock, long ago. I am at a loss to understand what this large sum can be wanted for.

Mr. POPE. This expenditure is for work to be done some distance below. It is in order to render the river navigable below the locks as far as Bryson, and for that purpose it will be necessary to build two submerged dams, to remove three shoals, and also a reef above Calumet.

Mr. MACKENZIE. It is proposed, of course, to invite tenders for this work.

Mr. POPE. We do not proceed on any other plan.

Mr. MACKENZIE. Yes, you do, as I shall show before long.

88. St. Peter's Canal ..... \$3,000 00

Mr. McDONALD (Cape Breton). In connection with this vote, I wish to call the attention of the Government to the fact that the laborers on St. Peter's Canal have not been paid their wages for 1876 and 1877. Mr. Tuck, the original contractor, assigned his contract to Mr. Kennedy, leaving the laborers who had worked for him previous to that time, unpaid to the amount of \$6,600 or \$7,000. The

claim of these men was brought to the notice of the Government of the hon. member for Lambton, who decided to divide the money then in hand among the laborers, according to the different sums due to those men. Unfortunately the sum on hand was very small, only \$400 or \$500. I understand that sum remains still unpaid, on account of the difficulty of ascertaining the amount due to the different laborers. Now, I wish the Government could find it possible to divide this sum of \$3,000, along with the balance on hand at the time Mr. Tuck made the assignment, among the men, in proportion to the sums due them. The Government of the hon. member for Lambton adopted the principle of paying these men the balance that was due to Mr. Tuck, and it is to be regretted that there was not in the hands of the Government, at the time of the assignment, a larger sum than \$400 or \$500. I hope the Government will find means to force Mr. Kennedy to pay these men the sums due them.

Mr. MACKENZIE. The statement the hon. gentleman makes about the men being unpaid by the first contractors is no doubt correct. But we did not concede that the Government was at all liable for the wages of men whom the contractors failed to pay, though in that case, as in the Carillon case, and one or two others, we endeavored to secure all that was possible for the men. No money was paid to that contractor after we became aware of his owing the men so much. I forget precisely what steps we took, but we retained the money in our hands to enable the men to sue for it. I think that was the course taken in the Carillon case. We got the contractor to assent to the payment of the men, and we sent Mr. Jones as paymaster to pay all the men whom those contractors were owing. In this case nothing can be done. The contract was assigned to Mr. Kennedy, who had already been a successful contractor in another place. But Mr. Kennedy has no liability whatever in connection with the wages the contractor owed when Mr. Kennedy took the work. It is absurd to talk of forcing Mr. Kennedy to pay the men of the previous contractor. The Government have nothing in the world to do with the matter, except, as I have said, to use all their efforts that the money may reach the men if possible, as was done in the two or three cases I have alluded to.

Mr. JONES. I think the hon. member for Lambton is mistaken in his allusion to the Carillon canal, in saying that the contractors assented to pay the \$9,000 which was charged against their contract. I do not think those gentlemen assented to that, as he will find by referring to the letter sent by them to the department.

Mr. MACKENZIE. They were applied to for their assent, and they sent their own clerk with the pay-roll along with Mr. Jones, and was present when the money was paid; indeed, the money was paid through the hands of their own clerk.

Mr. JONES. I have no doubt they were glad to see the men paid, but I do not think it was through their influence that Mr. Ralph Jones was sent down to pay those men; in fact I am sure it was not. When Mr. Ralph Jones was sent down there was no objection made to their clerk going with him with the pay-roll. They were glad to get the money any way that was withheld from them unjustly.

Mr. MACKENZIE. The money was not due to them at all. If we had kept the drawback according to contract we would have had \$30,000 in our hands; we had only \$6,000 or \$8,000.

Mr. JONES. I think the money was due to them and ought to have been paid. I think upwards of \$23,000 was paid to those gentlemen which was held from them unjustly in 1877, as was stated by Mr. Lash, the Deputy Minister of Justice; and that the contract was broken with them by the

Government, in withholding the money which was due to them in their estimate.

Mr. MACKENZIE. There was no money withheld from them that was due to them at any time. The \$22,000 the hon. gentleman refers to was the amount that Mr. Page recommended should be paid for work additional to the contract. For a long time Mr. Page did not consider that a number of items were extra; but he was pressed by the department to give them every possible advantage, and the papers will show that Mr. Page carried out what was stated. However, it is inconvenient to base a discussion on that matter on an incidental remark, and I have said I will not discuss it in the absence of the hon. Minister of Railways and Canals.

Mr. McDONALD (Cape Breton). I had the opportunity of looking at some papers relating to this work which were laid before the Senate the other day, and I find that the hon. member for Lambton is a little mistaken. I find by these papers that on April 17th, 1878, his department ordered Mr. Perley to pay the laborers employed on the canal by Mr. Tuck \$188.77, from the balance then in the hands of the Government; so that he acted on the principle of paying these men if he had money enough to pay them. Mr. Kennedy took the contract on the condition that no profits should be divided between him and Mr. Tuck until all Mr. Tuck's liabilities were paid. I find that in Mr. Perley's report to the Public Works Department. If this is the case, I would like the Government to investigate this matter and, if possible, hold the money until the laborers are paid.

Mr. POPE. The matter will be carefully enquired into.

Mr. MACDONALD (Victoria, N.S.) I am pleased to find the hon. member for Cape Breton bringing this matter before the House. That hon. gentleman, and other representatives of Cape Breton, and myself, have endeavored from time to time to induce the Government to do justice to Cape Breton in this matter, but I regret to say that so far our efforts have had no effect. At one time we thought we had the bird in hand, but when Parliament met we found the bird as far off as ever, if not farther. There are cases of extreme hardship in connection with this transaction. Mr. Tuck went down to Cape Breton with a flourish of trumpets, and with that importance which is generally considered attached to a gentleman holding a Government contract. People flocked from all parts of the country for employment, and labored month after month on the fair promises of the contractor that they would be paid. But after they had labored for six months, Mr. Tuck found it convenient to leave for home, and handed the work over to his sureties. These gentlemen, it appears, refused to become responsible for the liabilities contracted by their principal. They completed the work and added to their profits the labor of hundreds of men for months, which is not yet paid for. The laborer not only gave his time and labor, but had to furnish himself with the necessaries of life, and I understand there are instances in which poor men were obliged to sacrifice their small properties in order to pay their board-bills and shop accounts. The Government say: "Oh, we cannot do anything; we contracted with certain parties for certain work, and pay them regardless of how they treat the laboring men; we cannot do anything for the laboring men, they must look after themselves." Is this equitable or just? Surely the Government in framing the contract provided that a certain amount must be retained in their hands until the work was completed. Surely there is a clause in that document providing that the laboring men should be paid, and if not, why not? Should the laboring men suffer on account of the incapacity or negligence of a Government? Certainly not. I will apply the argument of the hon. the Premier a few evenings ago, when a similar case was under consideration. Canada can afford to be honest; Canada cannot afford with honor to take the labor

Mr. JONES.

and toil of poor men on her public works without paying them; Canada must and will do justice to the laboring men. A wealthy contractor has no difficulty in bringing his grievances before a Court of Justice or board of arbitrators, and receiving his rights; the poor laborer has no such remedy to recover his account. The Government are in honor bound to pay the laboring men. If they neglect to take proper precautions in paying contractors or in fixing contracts, there is no reason why the laborer should suffer. I trust the Government will, at an early day, pay those claims in full. Nothing less will satisfy the laborers of Cape Breton; they cannot be expected to be satisfied with anything less.

89. Murray Canal, towards construction of..... \$25,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. POPE. The estimated cost of the work is \$700,000. This canal has been the subject of discussion at different times—in 1833, 1840, 1846, 1867, and during the past year. There is no doubt it is a very important work, and it is more important now than ever before. It has been represented by gentlemen of undoubted integrity that if this canal were built, iron smelting works would be started at that point and a large number of men employed. Under this pressure, and after the representation that was made by those gentlemen, the Government felt they could not any longer refrain from trying to open up this important section of the country, not only for the iron but the lumber trade as well.

Mr. BOWELL. The estimate given by my hon. friend includes a cut through the neck of land that extends from the main shore running out into the lake, thus forming the Presqu'Isle harbor, so that the amount will be nothing like the sum estimated. That calculation was based on the report of Mr. Lightall, made some time ago, in which he stated there was a large amount of rock cutting to be done. The examination, during the last summer, by Mr. Austin proved that fourteen feet below the surface there was no rock.

20. Miscellaneous..... \$10,000 00

Mr. BERGERON. I am very much surprised there is no estimate for the Beauharnois Canal. It will take \$18,000 or \$20,000 to put that canal into proper order. It was badly kept under the late Administration and seems to be badly managed under this one. The pier at the foot of the canal was smashed up five or six years ago and the stones fell into the channel. There is no lighthouse on the channel at night. It is a dangerous place, and if any accident should happen the Government will have to pay damages exceeding in amount what would be required to put the canal in proper order. Every year since ten or twelve years ago, the sum of \$8,000 or \$9,000 has been put in the Estimates for this canal while \$75,000 or \$80,000 are given to the Welland Canal. The Beauharnois Canal is about half the size of the Welland Canal and contains nine locks. It is a very important work and has been greatly neglected. A report was made by the Engineer stating that it would cost \$15,000 or \$18,000 to put it in proper order.

Mr. MACKENZIE. What is out of condition in it?

Mr. BERGERON. The banks of the canal are in a very bad condition.

Mr. POPE. That question is engaging the attention of Government. Officers have been sent to make reports, on completion of which the Government will come to a conclusion about the matter.

51. To meet expenses in connection with the  
Census..... \$200,000 00

Mr. BLAKE. Will the hon. gentleman explain what changes there are in the mode of taking the Census now as compared with the mode of taking the last Census?

Mr. POPE. There is no considerable difference. Of course, I thought a considerable saving could be made by employing the chief census officers for much shorter time. The result is, these provincial officers that have the general overseeing of the work will be employed but a third of the time they were employed before. I thought, also, a less number of Commissioners might do the work. I do not think they, altogether, exceed the number that were employed before. With respect to the enumerators, the schedule was a little cut down. For instance, I found there were certain columns that it was impossible to fill up. I cut the schedule down from nine to eight, and increased the number of families to be taken by the enumerators for a day's work, from eighteen, the old number, to twenty. These are the chief points of difference.

Mr. BLAKE. What will be the result, pecuniarily, comparing this with the last census?

Mr. POPE. The last census cost \$510,000. I am quite satisfied the present, notwithstanding the increase of population and territory, will not cost more. I hope to make it less.

Mr. BLAKE. Will there be greater expedition in getting the census taken than last time?

Mr. POPE. The enumeration will be made within three weeks. I tried not to increase the enumerators, but impressed upon them the importance of taking the census as fast as possible; and I have as nearly as possible fixed for them a fair day's work, not in a way to cause the work to be slighted, but so as to have it completed, both quickly and well.

Mr. BLAKE. How can the hon. gentleman do that? As he is Commissioner of Patents, he had better take out a patent for his invention.

Mr. POPE. I have fixed twenty families for a fair day's work, allowing a day's pay for that number. The commissioners are paid \$4 for every 100 families entered on their register, which is considered for them a fair day's work.

In answer to Mr. BLAKE,

Mr. POPE. The chief officers were first employed on the 20th January, I think. It is supposed their work will be completed early in April, or, at any rate, before 1st May next. Their remuneration is \$5 a day, and \$3.50 for expenses.

Mr. FLYNN. I wish to call the attention of the Minister of Agriculture to the importance of securing competent enumerators, without whom the information and statistics gathered will be of comparatively little value. In looking over the clerks returns of 1871, I have found such gross inaccuracies in regard to localities and industries in my own province, with which I am personally well acquainted, as to justify me in asserting that the statements set down are of very little value. There are errors as to the amounts of grain, and fish and fish-oil produced in different localities, so palpable as at once to surprise any person well informed. I believe those errors arise either from incompetence or indifference on the part of the enumerators, who should be selected not only on the ground of their ability but of their knowledge of the districts visited, otherwise they may be imposed upon by incorrect answers. The Minister should be impressed with the necessity of competent enumerators, without whom the information gathered will be of very little value.

Mr. POPE. I quite agree with the hon. member, that the information must be correct, or it will be valueless. I hope we shall be able to get the best information on all subjects. With regard to fish oil, as I am informed, it is a most difficult matter for the enumerators to get correct information, owing to the fact that after half a-dozen men

or so fish in company and when one of them is asked the amount of his catch, he may give the quantity for the company, and *vice versa*. I have no doubt the case referred to by the hon. gentleman arose in that way.

145. Salaries and Allowances of Lighthouses

Keepers..... \$159,456 00

Sir RICHARD J. CARTWRIGHT. How does this increase of \$2,000 arise?

Mr. POPE (Queen's.) It is owing to the fact that new lighthouses are constantly required, and consequently salaries for the keepers. I will lay a memorandum on the Table showing the details. In some cases there have been considerable reductions, and of course, there must necessarily be increases owing to the extension of the service.

Sir RICHARD J. CARTWRIGHT. These details used to be given in the Estimates, but I think they have very properly been withdrawn, owing to their being so cumbersome. Might not a brief memorandum be prepared showing the increases and decreases, without going so finely into details?

Sir JOHN A. MACDONALD. I do not think such a memorandum could be prepared, because there are a number of increased lighthouses, but with decreased salaries to the keepers, and though the \$2,000 may, in some degree, represent the officers, yet the salaries of all the new officers would amount to a much larger sum.

Mr. SNOWBALL. If the hon. Minister's attention has not already been called to the subject, I would state that since the lighthouse was placed at Tabusintac Bay, on the Miramichi, the storms of 1879 have opened a new gully, and the consequence is that the old entrance is filling up and the new entrance which has been formed is much more available for boats coming into the bay. The light, where it is now placed, is entirely useless for the purpose intended, and it is only a source of expense. The light is on Crab Island, which is submerged at high water, and in case of a storm it is dangerous for the keeper to stay on the island. The building is in good order and could be removed at little expense and placed opposite the new gully on the main land where it would be perfectly safe and be of benefit to vessels entering the bay; and by placing a beacon range light on the beach near the new entrance, it would answer all the purpose the light was originally intended for, and would cost little extra to the department.

Mr. McCALLUM. What is the amount allowed for the Colchester reef lighthouse?

Mr. POPE. The plans for this work are being prepared, and as soon as they are ready tenders will be advertised for. It is satisfactory to be able to state that the American Government have undertaken to build a light in that neighborhood, and have placed a sum in their Estimates for that purpose, provided we vote a sum of money for the construction of a light on the Island. The lightship will probably cost from \$15,000 to \$18,000. Last year, \$2,000 was placed in the Estimates, and this year we are asking for about \$5,000 more.

Mr. McCALLUM. A light has been maintained there for some years, for which the Government have paid only \$700 a year for the last ten years. Last fall this vessel was wrecked in the ice, and there have been petitions to this House to give some compensation to the parties who lost this vessel. I trust when the Supplementary Estimates come down, the Minister of Marine and Fisheries will see his way clear to reimburse those young men to a certain extent for the loss they have sustained. For a number of years, the Government of this country has been getting that light maintained for a great deal less than it was worth. The hon. Minister thinks this lighthouse will cost \$18,000; I venture to say it will cost \$24,000. It is a difficult place

to build a lighthouse on, there being five or six feet of water. The Government has received great advantages from the light which these young men have kept up, and surely the Government of this country should not do injustice to these young men for the benefit of 4,000,000 of people. It will cost \$24,000 to keep up this lighthouse for ten years; the interest alone on this sum would amount to \$1,200 a year. I think the maintenance of and attendance of this light will, with interest, cost \$1,800 a year. Consequently when we consider what these young men have been doing it for, it will be evident that they have saved a great deal to the country. The calculation will show that during the past ten years they have saved this country \$10,800. These young men, in losing this ship, lost their all. I think the Government ought at least to pay one-half their loss, inasmuch as they were waiting to get orders from the Government when they lost the vessel. They risked their lives in the interest of the shipping of this country, and it would not be fair or just to refuse to reimburse them.

Mr. SCHULTZ. I would like to add my testimony to that of the hon. gentleman for Monck (Mr. McCallum) in regard to this lightship. I am a native of that part of the country and familiar with the dangers of the shoals this lightship protects, and I know the persons who had charge of it. I know from personal knowledge both the value of the lightship and the risk run by the young men, and the numbers of years they have maintained it, and I think they are entitled to some consideration. I trust the Minister, in considering that claim, may think the amount of \$2,400 is but a trifle, seeing that they maintained this ship for ten years at great risk to themselves, and lost it at last through their wish to protect the shipping which was passing that reef.

Mr. POPE (Queen's). With regard to the matter mentioned by the hon. member for Monck (Mr. McCallum), I may say that memorials have been sent to the Department asking that these young men should be compensated. The vessel was placed there under an arrangement with the people of the locality, who paid \$500 a year towards the maintenance. She was recently taken in charge by the Government who paid \$700 a year towards maintaining her. The vessel was carried away in the ice in the autumn. The hon. member for Essex (Mr. Patterson), took quite an interest in the matter, and telegraphed to me, asking me to send tugs to save her. As this vessel was private property, used there as a lightship under contract, I declined to bear the expense of sending tugs. The case is one of hardship, worthy of all sympathy, and it shall be taken into consideration by the Government.

Mr. McCALLUM. For years they have only received \$50 a year over and above the \$700 paid by the Government, and they furnished everything in connection with the lightship.

Mr. PATTERSON (Essex). The total amount received by private subscriptions towards the maintenance of that lightship was \$50 a year, contributed by the Cleveland and Detroit Steamship Company. These young men remained at their post under orders, and I think they have a legal claim for compensation. The people in that part of the country look to the Government to do justice in this matter. I am glad the Government are going to take this matter into consideration. These men have performed acts of heroism in obscurity, and they deserve the sympathy of this House, when they have suffered an unavoidable misfortune in the performance of their duty.

Mr. McCUAIG. While I am willing to support the Government in giving these men whatever amount they may think proper, I hold that they are not legally bound to pay anything. The vessel might have been secured by the payment of a small amount of insurance.

Mr. McCALLUM.

Mr. McCALLUM. The time of insuring was past.

150. Fisheries ..... \$92,800 00

Mr. DAWSON. As this vote relates to the fisheries, and as the most extensive inland fisheries are in the district which I represent, I desire to offer a few remarks to the House on this item. In the lakes inland we have recently had a new industry established, namely, packing fish in ice, and exporting it to market in that way. This is an industry which requires a large investment of capital in order to make it succeed, and without a permanent holding it is impossible for that industry to be carried on. The system prevailing in those waters has been to grant ground licenses and to renew them from year to year, the same as licenses for timber limits are renewed by lumbermen. With this tenure at several places on those great lakes, a very considerable investment has been made, and fish have been exported packed in ice, and the result has been to give a great deal of employment to poor local inhabitants, especially to half Indians, who are not very good at farming or anything of that kind, who are, in fact, fishermen by profession. The result is observable at one place especially, Killarney, which was formerly known as the most desolate and poorest place on the whole of the great lakes. The establishment of this industry there has been that Killarney has grown and flourished, schools and churches have been erected, and instead of its being a mud hole, it is now a village with plank sidewalks and improvements. This shows what an industry of that kind can bring about. That change has been brought about, not only in that part, but also in other parts of the district. I am very sorry to say that the Department of Marine and Fisheries has made a change of policy in respect to this system of licenses. From year to year the people, on the faith of leases, invested largely in this industry, and suddenly, without the slightest warning, last year the department declined to renew them. The consequence will be that many of the people will be ruined, and I, therefore, think it not out of place to ask an explanation from the Government on the subject. As I understand the matter it is this: There is also a system in existence of granting boat licenses; that is, a person may man a boat, and pay so much, and go where he chooses to fish. The people who have ground licenses have an interest in preserving the fishing ground and preventing over-fishing. The people of Killarney who had licenses, had preserved a considerable expanse, about six miles square—not a very large space in the whole sea of the Georgian Bay, which covers 7,000 square miles. The holders did not get their licenses renewed last year, and the people with boat licenses came on the ground and, in the course of a few weeks, completely depleted it, to the great hardship and injustice to those holding the ground licenses, who had made a permanent investment of \$15,000, as appeared from the report of an old officer of the Government, Captain Wilson, of Sault Ste. Marie. It is not the holders of those licenses alone who have established fisheries, but we have other people who have been in the habit of holding licences, viz., the poor Indians. If the system of abrogating those ground licenses is to be persevered in, I suppose it will apply to the Indians also; and I hold in my hand a letter written from Wikwemikon, in the Island of Manitoulin, complaining that depredations have been committed on Indian grounds. Lake fisheries are not like sea fisheries, they cannot stand fishing in the same way; and if this system is to be continued, then the inland lakes which were once full of fish, will soon be like Lake Ontario, where it is now hardly possible to find them. In the Georgian Bay, ten years ago, you might set a net anywhere and catch fish; but under this system of allowing boats to roam about, and of not protecting the fisheries by granting ground licenses, that great sea, the Georgian Bay, has been in a large

measure depleted of fish—although there are fish there still. Persons from Collingwood come 150 miles into Algoma and take the fish from the fishermen there, who have no other means of gaining a livelihood. I think it is a matter which should receive the attention of the Government, and I hope the people will be fairly dealt with.

Mr. SPROULE. I have received a letter from some of the fishermen on Georgian Bay who are associated with fishermen of Collingwood. It is signed by twelve or fourteen fishermen, and they strongly favor the system of licensing and not leasing. Complaints were made that many of the Indians hold a title to fishing ground which they neither use themselves nor allow others to use. If other fishermen went into that part of the lake to fish, the result was a quarrel. It seems to be the general opinion of fishermen along the Georgian Bay, coming from Meaford, Collingwood and Owen Sound, that the licensing system is decidedly the best one. It is their wish that that system should be adopted and continued. Their opinion does not coincide with that expressed by the hon. member for Algoma (Mr. Dawson) that fish are getting scarce there, and fish are as plentiful in Georgian Bay as they were fifteen or twenty years ago, and many of the men holding this opinion have been engaged in the fisheries for that length of time. They have written me favoring a licensing system, as being decidedly the preferable one and in the interests of the fishermen.

Mr. POPE (Queen's). I have been very desirous to meet the views of my hon. friend in this matter, but it did seem to me he required a little too much for his friends. I quite agree that men who embark capital in an enterprise ought to be protected, and every reasonable protection will be given to these men. It appears those gentlemen have received titles from the Provincial Government and are secured as to their lands. We did not think it right that the fishing grounds of a great inland sea, like Georgian Bay, should be given to one house. To a certain extent it is true, every man could go on the grounds leased to these men and fish, provided they sold their fish to them at whatever price they would be willing to give. Is it right this monopoly should exist? Every man residing there should have a right to go to the deep sea fisheries and fish, if he paid a license. I am told that, instead of their business being lessened, these men had a larger business last year than previously.

Mr. DAWSON. The hon. gentleman's information is not correct. The grounds that these people hold is a little space of some six miles or so. Can that be called a monopoly of the whole sea of the Georgian Bay? Besides, these men had a vested right in the grounds, having held the lease for three years and it was renewed every year, like a lumberman's license. Had those gentlemen thought this lease would have been discontinued, they would not have made the investment they did. This was a breach of contract with them. I think the officers of the hon. gentleman's department would tell him these leases were renewable every year, and that unless they were renewed that industry could not be carried on. It is all very well to say the sea is open to any person who chooses to fish in it, and that these men can buy the fish from those who catch them, but that does not meet the case. I was passing there last summer when these people who had paid licenses had fished on those grounds. The morning I visited the place there were not less than 10,000 very large trout and whitefish landed. I mentioned to a man who had lived there all his life, that that looked well. He said: "It does, but it is ruin to us." These people came there with boat licenses, and, as he said, three weeks longer would kill the business. The fisheries would be rendered valueless. The Indians of the Manitoulin made the same complaint. The fishermen with boat licenses had ruined their grounds, which were a vested right secured to the Indians, practically

if not in so many words by treaty, when they relinquished their territorial rights. If this system be continued it will soon render these inland seas valueless. I am happy to hear the hon. gentleman say he is prepared to consider the matter, and trust he will see that justice is done.

Mr. POPE (Queen's). It is amusing to hear the hon. gentleman speak of the injustice tried to be done to the Indians by taking their lands. The hon. gentleman knew his friends, who had three or four larger sections of these waters, had taken charge of a place called Squaw Island and wanted a license as well. As a matter of course the department would not grant one. That is their great grievance.

Mr. DAWSON. I know nothing about the particular circumstances to which the hon. gentleman refers, but I know the licenses were not renewed, and that if they asked for a license encroaching on the Indians rights, they should certainly not have got it, but they are entitled to a renewal of their former lease. The people from a distance knew the leased ground to be swarming with fish, because the lessees had husbanded this resource. Having a lease, they kept the place so as to have always a supply. They kept up a large establishment, had ice-houses, and employed men to pack the fish and send them to market. It was to this ground that the intruders rushed, and they plundered it, greatly to the loss of those who held the lease.

Mr. KILLAM. The close season for lobsters in western Nova Scotia is not satisfactory to the fishermen. I do not see why they should not be allowed to take lobsters for canning in the fall. If the hon. gentleman will regulate the close season—take 20 days in July and the whole of August, and allow the lobsters to be caught for canning and for export as caught, alive, during the whole of May and June, and up to 10th July, and then from the 1st September out, all through the rest of the year, he will act very much in the interest of the fishermen, without injury, whatever, to the fish on the shores. There is no reason why, in the fall, lobsters should not be taken, alive, for export to the United States, or for canning purposes.

Sir RICHARD J. CARTWRIGHT. Will the hon. gentleman explain the item of \$30,000 for fish-breeding, fishways and oyster beds—why the increase of \$3,000?

Mr. POPE (Queen's). Last year \$5,000 was taken for building a fish-breeding establishment at Cape Breton and one in the Eastern Townships; \$5,000 was taken off the amount for general expenditure, leaving it insufficient. You cannot well lessen the staff. In fact, as our population increases, you need more inspectors for the protection of the fisheries, and the staff has been increased. The additional \$3,000 is to finish the fish hatcheries, at those places, and restore the establishment at Restigouche, now tumbling down, this being the most important point of all for parent salmon the best in the Dominion. It is a mistake to have small hatcheries all over the Dominion. The best return for the money would be got from a good hatchery at Restigouche and other important points.

Sir RICHARD J. CARTWRIGHT. Has the hon. gentleman any oyster-beds in actual operation?

Mr. POPE (Queen's). There is no expense incurred for them. There are some few oyster-beds owned by private individuals, which have never cost the country a cent, nor do I think ever will. I should be very glad if the people in the Maritime Provinces, where they have facilities for producing oysters, would do so. I believe Prince Edward Island is the only Province in which oysters can be produced in any quantity. Of course, the close season has to be maintained, which cannot be done without some small cost.

Sir ALBERT J. SMITH. I would like to know what this new appropriation means—does the Minister intend any

appropriation for the creation of oyster-beds, or oyster-breeding?

Mr. POPE. It is not intended to expend any money on those oyster-beds, though it is very desirable our people should take greater interest in them. It may be necessary that some surveys should be made and reports sent to the department before licenses can be granted for fish propagation.

Sir ALBERT J. SMITH. I think the explanation of the Minister is not satisfactory. I do not know what he means by surveys of oyster-beds. Is this survey for P. E. Island or New Brunswick? Is it intended to grant licenses to persons for the exclusive right to breed oysters?

Mr. POPE. I said the increased expenditure is for the salmon hatcheries, not the oyster-beds. If applications are made, say from New Brunswick, we must be able to say where the grounds are and what beds are there.

Sir ALBERT J. SMITH. Have you any such applications?

Mr. POPE. The money is not to be expended in that way. It is for hatcheries.

Mr. DOMVILLE. I am glad to see the Minister doing something for the cultivation of the oyster. When the hon. member for Westmoreland (Sir A. J. Smith) was in charge of the department his negligence was the means of running out some of the finest oyster-beds in the world.

Sir ALBERT J. SMITH. I think that either the hon. Minister should say that he has a policy in the subject or strike out these words, as the vote is a new one.

Sir JOHN A. MACDONALD. I think my hon. friend the Minister of Marine has given a very full explanation. He wished these words inserted, because there may be applications for encouragement to the oyster trade whenever there are oyster-beds. Unless these words are put in, however reasonable the application may be for a small grant in aid of that fishery, it could not be given. We know that round the coasts of England the oyster has almost disappeared, while by judicious cultivation the quantity of oysters raised along the coasts of the United States have steadily increased. My hon. friend wants to have the cultivation of the oyster encouraged, and in order to provide the means he asks that these words should be inserted.

Mr. POPE. I would like to see the production of the oyster encouraged, and our people take an interest in the matter, as it would eventually become a great source of wealth. There is no better place in the world for the hatching of oysters than on the Bay of Shédiac, for instance. If parties go into the trade, it is necessary they should have some protection, and that protection can be afforded with a small expenditure.

Mr. OGDEN. I wish to call the attention of the House to the fact that there is an arm of the sea called Bras d'Or Lake, which contains a large quantity of oysters—they are as fine as any in the world—and very plentiful.

An hon. MEMBER. What! plentiful?

Mr. OGDEN. Yes, plentiful; so much so that they grow upon trees. Hon. members may smile, but if they will have patience I will explain to them the manner in which these oysters are propagated. When the spawn leaves the mother oyster, it attaches itself to the first object with which it comes into contact, a pebble, a blade of grass, a limb of a tree, or a neighboring oyster, which accounts for their being found in clusters, and the limbs of fallen trees on this lake are often literally loaded with oysters.

Sir ALBERT J. SMITH. What! in a fresh-water lake?

Mr. OGDEN. I am really surprised that the hon. member for Westmoreland, the ex-Minister of Marine

Sir ALBERT J. SMITH.

and a member of the late Government, that spent thousands of dollars in opening the St. Peter's Canal into that lake, should show such a lamentable want of knowledge of the geography of his country. I should not have been surprised had the question been asked by the hon. member for Monck or for Prince Edward, who live near the inland seas of Canada, but I really did expect something better from the ex-Minister of Marine, who ought to know that the Bras d'Or is an arm of the ocean. I have several times called the attention of the Minister to the locality, and am pleased at finding a sufficient sum of money placed at his disposal to enable him to foster and encourage this valuable fishery.

Mr. KILLAM. I would call the attention of the hon. Minister to the fact that, in the propagation of fish, he has not given any attention to the four counties in the western part of Nova Scotia, Queen's, Shelburne, Yarmouth and Digby. I do not know that he has planted any salmon spawn in Annapolis county. The hon. gentleman says, he thinks it is much better to have a few large fish hatcheries than to distribute small ones through the Province. I had some hope he would have placed one in my own county. He must be aware that there are a number of rivers there just as good for salmon as any of those in the eastern part of the Province, or in New Brunswick, in which he has been placing spawn to a large extent. I think the means of communication now existing will enable him to stock those rivers without difficulty. I hope the hon. Minister will take steps during the coming season to stock a number of rivers in that part of the Province with some. If he is going to survey for oysters I think he will find in St. Mary's Bay a good field for his operations. There are no oysters, so far as I know, on the coast of America between Boston and the Strait of Canso. Of course, the whole south of the coast of Nova Scotia and some parts of the Bay of Fundy offer a good field for their propagation. St. Mary's Bay is a good place for oysters, and if he will stock it with them we will ultimately have a large commerce in oysters.

Mr. SNOWBALL. In what condition is the Miramichi hatchery, and how many ova are there now in it?

Mr. POPE. I will be prepared to furnish the hon. member with the latest information to-morrow.

Mr. ANGLIN. There is a great deal of dissatisfaction in some of the Maritime Provinces with regard to the manner in which this whole expenditure is managed, and particularly with regard to the fish hatcheries. It is thought by many that New Brunswick has many fine rivers adapted for salmon, but it does not receive proper attention from the Department; that a great deal of money is expended on the western lakes in experiments which, it is said by some, have proved a failure. The hatching of some in the western lakes was productive of no very beneficial results up to last year. Some allege that they never can produce good results, and that the money expended in that way has been wasted. I think there were some special reports on the subject last Session, in which the fact that few salmon had been caught in any of the lakes was controverted by the statement that the salmon remained in deep water for the greater part of the year and did not come into the rivers for propagation. Perhaps the hon. Minister can tell whether there is any prospect of rendering salmon a fish of commerce in those western lakes. It seemed from the first an extraordinary undertaking to endeavor to transplant salmon to those waters, and I think the experiment has not proved successful. It is time we should know what the result of the experiment is. Many millions of fry have been let loose in those waters, and in the natural course of things the propagation should have been great; there should have been an increase from the hatcheries also, and if the experiment was at all successful there should now be a large number of salmon in those western waters. The hon. Minister knows

that last year there was a great deal of correspondence on the subject in the newspapers, and I can assure him that the feeling is still just as strong as it was last year. We feel that a great many of our rivers have not received proper attention.

164. North-West Mounted Police. .... \$290,000 00 .

Sir JOHN A. MACDONALD. The amount asked for is the same as last year. We find that, although there are three months yet before the first of July, that sum will not be exceeded. That sum will cover the expenditure for 1881, and it is a very large reduction from the previous year. For the last five years it was, in round numbers, \$347,000. \$290,000 will cover the expenditure of 1880-81, and we ask for a similar sum for 1881-82, although we hope that the result of the economies being introduced will reduce that sum considerably. As it is, the year 1880-81 shows a reduction of \$16,000 in the expense of the force as compared with the previous year. There is a reduction in the pay of the force of \$8,000. The men now receive 40 cents per day during the first year, and 50 cents per day during the other four years of service. The old rates were 50 cents per day during the first year, and 75 cents per day during the remaining four years of the term. We found that we could, with an improvement to the quality of the force, reduce the pay. The pay was originally very large, fixed at a time when it was new, and when the difficulties of going through an unknown country were perhaps exaggerated. But the pay was so good that there was a rush of men to the force; we found great pressure brought to send up gentlemen's sons—educated men, of broken habits—and the force was to some extent made to serve the purpose of an inebriate asylum. Under the present system we find that we can get good men, equal to the members of any constabulary force. We propose, also, to adopt a scale for a small additional allowance for long and faithful service, which we hope will be an inducement for good men to remain in the force when they get there.

Mr. MILLS. I observe that last year, although the vote was \$290,000, the expenditure was \$332,855, \$43,000 over the estimate, so that the hon. gentleman will have to economize to that extent to reduce the expenditure.

Sir JOHN A. MACDONALD. The responsible officer is confident that the expenditure for 1880-81 will not exceed \$290,000.

Mr. BLAKE. I have been informed, on what I believe to be good authority, that, notwithstanding the very stringent regulations maintained in the force, there has been a considerable amount of drinking at some of the posts. I have also been informed that there is a considerable amount of desertion. I should like to know if the hon. gentleman has any information on these points.

Sir JOHN A. MACDONALD. As regards the habits of the men, I think, on the whole, they are in a very fair state, but there is still a good deal of drinking. As the hon. gentleman knows, some of the force is stationed on the frontier, and there has been, I am afraid, a laxity in granting permits. Besides, there has been no care taken to number the permits, and I have reason to believe also that there has been a great use of that most noxious alcoholic drink, Perry Davis' Pain Killer. It contains a great quantity of alcohol, and has not only affected the physical health of the men, but the mental health of some of them. That has been used largely under the pretence of being medicinal, but, really, I am afraid, as a stimulant. We propose to have the permits numbered and limited. There has been, and there will be hereafter, a more rigid discipline preserved among the men. Colonel Macleod, who formerly commanded them, was a very good officer, but he was too kindly towards the force. He is now a Stipendiary Magistrate, and Colonel Irvine, who is now in command, is, I believe, considerably

more of a martinet, and is paying particular attention to the restoration of discipline and the correction of the dissolute habits of some of the men. When the force was first established, they were scattered in small detachments all over the country. It has been found, however, that it would be infinitely better for the efficiency of the force, to have headquarters somewhere near the line of the Pacific Railway, more in the centre of the country. The Indians are beginning to settle down peaceably on their reserves, and more economy can be effected and more rigid discipline maintained, by having a larger amount of the force at the headquarters. Another rule that was destructive of discipline, was that when men were sent to an outpost, they were kept there during the whole period of their enlistment without any opportunity of drill. The military system has now been introduced, and the men will be changed from headquarters every two years; it will be a moveable instead of a stationary force. Among other objections to its being a stationary force was that some of the officers began to have herds of cattle, and thought more of speculating and attending to their personal interests than to those of the force. All this is destroyed by the system of moving every two years. The men first come to headquarters, and every second year, as the older men became perfectly drilled, they are sent to the out-stations. I am informed there have been nine desertions of men who were desirous of going to the alleged gold mines, and of those eight were recaptured.

Mr. BLAKE. I think the statement of the hon. gentleman as to the proposed systematic transference of the men who occupy the outposts is very satisfactory. There are many reasons, besides those to which he has referred, which will naturally occur, why men should not be permanently kept in small bodies at a small outpost. The House would like to know a little more as to the extent of the change of principle in locating the force, to which the hon. gentleman has alluded; whether it is intended to have only one important body at headquarters, and how many outposts was it intended to have. I am sorry to hear the statement as to the abuse of liquor permits. When I had charge of the force I abandoned the practice of granting permits. I found a very painful case of a private, who was said to be a most excellent member of the force, but who was tried by court-martial and found guilty of gross insubordination, he having struck his officer while drunk, the officer having received a permit. It appeared impossible to maintain discipline if officers were allowed permits. I issued an order that total prohibition should be enforced throughout the whole force, officers as well as men. A request was made that the liquors on the way out should be turned into the medical stores, and should be accounted for in that way, which I acceded to; but so long as I had the regulating of the force, no officer was allowed to ask or accept a permit.

Sir JOHN A. MACDONALD. I think the officers are under the same restrictions as the men, but permits are granted to other parties.

Mr. SCHULTZ. The present system of permits is faulty in itself. It acted very well so long as the only ingress into the North-West was past the Mounted Police station at Shoal Lake; but it does not work effectively now there are different means of entering the country. The abuse of the system occurred from a party who, once procuring a permit, being able to use it over and over again.

Mr. BLAKE. Would the hon. gentleman inform the House as to what progress has been made in the cultivation of farms at the outposts.

Sir JOHN A. MACDONALD. Considerable progress was made last year, but the summer frosts greatly injured both the quantity and quality of the crop. It had not turned out so well as had been expected; but that was an

exceptional frost, and I hope there will be substantial aid from this source to the food of the force next year. In regard to the increase of \$7,000 on the item for repairs and renewals, replacement of horses, arms and ammunition, \$6,000 was required for horses, \$1,500 for renewal of general equipment, and \$1,500 for tents.

Mr. MILLS. I suppose a very large sum in the \$3,000 for contingencies is paid for advertising. I have had some of the papers sent to me in which those advertisements appear. Among others was the *North Star*, a paper 7 inches by 2, with three columns on a page; and the *Orange Lily*, which appears fitfully, according, I suppose, as it has an advertisement to publish. The hon. gentleman has gained nothing by a large portion of his advertising, as there are only two or three parties who can supply the beef at Fort McLeod, and with these men he could have communicated by letter, instead of advertising for the supply in the *Halifax Herald*, the *St. John's Sun*, and the *Moncton Times*. The hon. gentleman's object, no doubt, was to aid that struggling industry, the Conservative press. In the hon. gentleman's department alone, upwards of \$10,000 are paid for advertising. It would be better to have this item put separate in the Estimates, so that we would know how much this advertising patronage costs us.

Sir JOHN A. MACDONALD. The hon. gentleman's suggestion is worthy of consideration, and we shall designate it specially as an attempt to encourage periodical literature in the country. If the hon. gentleman will look back, he will find there was a considerable amount of substantial pecuniary aid given to Grit literature when the late Government was in power. The advertisements were supplies of clothing, saddlery, etc., which can be procured in Canada at very fair prices. The whole amount of contingencies asked for this year is \$3,000 for the Force, and for the Indian Department \$3,000 more. Under those two items must be found the means of paying any advertisements the Mounted Police or Indian Department requirements may call for.

Mr. MILLS. That is just about ten times the former amount.

Mr. SCHULTZ. There has been an abuse in this matter of advertisements, which the member for Bothwell has not been precisely responsible for. I have had occasion, myself, the last two years, to call attention to the enormous preponderance of supplies furnished by the firm of I. G. Baker & Co., and I have said that the best way of preventing this abuse was to advertise more extensively in the Dominion for supplies. No doubt those advertisements were designed partly to diminish the great cost of the supplies to those distant points. I am sorry to say they have not been effective for this purpose; for I see by the last accounts that I. G. Baker & Co. received for supplies, \$104,858.67; Powers & Co., \$2,299.92; the Hudson's Bay Co., \$3,927; Mahoney & Macdonald, \$820.26; Stobart, Eden & Co., \$656.71. Still, I think the effort is one in the right direction, and that if it has not been successful, it is no fault of the Department.

Mr. BLAKE. Is there to be any report about the Mounted Police?

Sir JOHN A. MACDONALD. It is in the printer's hands. It will be furnished, complete, by next Monday morning.

Mr. MILLS. Is there a report for the Department of the Interior, separate and distinct from that of the Department of Indian Affairs?

Sir JOHN A. MACDONALD. Yes; because they are now separate bureaus.

171. Permanent Headquarters, Mounted Police...\$20,000 00

Sir RICHARD J. CARTWRIGHT. Where will the headquarters be? What is the general plan?

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD. The Force is now scattered all over the country, and the present barracks are cold and exceedingly uncomfortable. It is proposed to place the headquarters somewhere on the line of the Canadian Pacific Railway, so that the Force can be sent east and west, wherever their services may be required. The headquarters are not yet selected.

172. Expenses of Dominion Government Agency at Rio Janeiro..... \$1,250 00

Sir RICHARD J. CARTWRIGHT. Is this sum intended for a Consul, and who is the gentleman?

Sir JOHN A. MACDONALD. There is to be an officer in that city who knows the products of Canada, and what are likely to be exchanged for the products of Brazil. The Brazilian Consul in Canada has strongly pressed upon us the opinion that we should have some such officer in Rio Janeiro, with a view to the increase of the trade between the two countries. And the Brazilian Government and some merchants of Rio are to send to Montreal specimens of all Brazilian products in return for specimens of our productions, in order to educate the people of that country in regard to what we can make and produce for them.

Sir RICHARD J. CARTWRIGHT. For \$1,250 you can hardly get the services of a competent person. Perhaps you had better choose somebody residing in that country.

Sir JOHN A. MACDONALD. I believe the Postmaster General, who is in charge of this enterprise, has made arrangements for a competent person in Rio Janeiro to act in that capacity, and the Brazilian Government have placed a very handsome building at our disposal, as a sort of museum, in which to display specimens of our productions.

173. To meet expenses connected with the consolidation of the Dominion Statutes..... \$5,000 00

Mr. BLAKE. What are the arrangements for the consolidation of the Statutes?

Sir JOHN A. MACDONALD. I fancy we will follow very much the example of the Ontario Government, who, I understand, have made a very successful consolidation. We have not yet selected a commission, nor formed any specific plans. The Minister of Justice will apply himself to that subject after prorogation.

Mr. BLAKE. I am very glad that this vote is proposed. We had a vote here for some years, and spent a small sum in preparations, with a view to such a work. The Ontario Government employed the services of two young lawyers to do a considerable portion of the rough work, and unless the Government will adopt that course they will have to follow another plan. The matter will, I suppose, be settled when we get the plan for re-modelling the Supreme Court.

Sir JOHN A. MACDONALD. So far as the consolidation and codification is concerned, I think I might say we will almost require another Judge, and that my good friend Judge Gowan might have to be brought down here to keep a watchful eye on the work.

174. Expenses of Commissions of Enquiry .....\$10,000 00

Mr. BLAKE. What is this for? Are we going to have more of them?

Sir JOHN A. MACDONALD. The Pacific Railway Commission and the Civil Service Commission have, of course, been running, and it is not at all improbable that we may have to look to a commission to enquire into the Supreme Court question. I hope we shall not be obliged to do so, but it may be necessary.

Mr. BLAKE. I hope the hon. gentleman is not going to postpone the remuneration of the Civil Service Commissioners until 1882, and that amount should be estimated in a supplementary report. As to the Pacific Railway Commission, I would fain hope that it is nearly over. I am sorry.

to hear that it is contemplated to refer the Supreme Court question to a commission.

Sir ALBERT J. SMITH. It seems to me absurd that there should be any question raised as to the desirability of retaining the Supreme Court. I know that so far as the Maritime Provinces are concerned the matter is beyond question altogether. These discussions which take place every Session tend to impair the usefulness of the Court, and I do not think the matter is one which should be trifled with. I think it is one of the grafts of the institutions of this country, and we should endeavor as far as possible to maintain the confidence of the people in that country.

Mr. BLAKE. I was sorry to hear the observation of the First Minister with regard to the Supreme Court. I think it was an unfortunate one, in view of the fact that the proposition made last Session to abolish the Supreme Court was rejected by a decisive majority. The discussion which we had the other evening was not upon the question of abolishing the Court, but as to the proposal to withdraw a certain class of subjects from those which should come within its consideration; and I do not recollect that one name of note in this House was recorded as wholly hostile to the retention of the Supreme Court. I think it would be unfortunate, if the idea should get abroad, that there was in the House any question of whether the Supreme Court should not have a definite existence. I hope that the Administration, having announced a policy last Session, and having made a pledge this Session that the whole matter should be considered, will announce as fair a policy with regard to the Supreme Court.

Sir JOHN A. MACDONALD. I am afraid that there are a good many hon. gentlemen in this House, from both the Province of Ontario and the Province of Quebec, who are against the Supreme Court. I believe that once the Court is made more satisfactory to the Province of Quebec, it will be a different question; but the hon. gentlemen will find that there is among the members of this House representing Lower Canada, a very strong feeling against this Court. That Province is withdrawn altogether from its jurisdiction, and the Court ceases to be a Court of Appeal for the Province of Quebec.

Sir ALBERT J. SMITH. We have had a vote on it.

Sir JOHN A. MACDONALD. The hon. gentleman knows that but for the action of the Government the vote might have been quite different.

Mr. LAURIER. There is no doubt that when the Court was first established it was somewhat unpopular in the Province of Quebec, but, so far as I am acquainted with the feeling in that Province, that unpopularity is constantly dying out. The facts confirm it. I have looked over the reports of cases and find that forty-five appeals have been taken from the Province of Quebec, and of this number only seven or eight related to civil rights or arose under the civil laws of Lower Canada. All the others were either criminal or constitutional cases in which Quebec has no special laws of its own, and the principles of which affect the Dominion at large. Everybody must admit that if, in the course of five years, that Court has been called upon to decide only seven or eight cases of a civil nature, Quebec has no reason to feel anxious. I know that at the outset that Court was unpopular in Quebec, but that feeling was of a political nature; the Court was unpopular before it was established, but from purely political motives. At the last general election almost every hon. gentleman from Quebec now sitting on the opposite side of the House, attacked the Supreme Court with more or less bitterness. It was represented as a useless institution. But that feeling is changing. We heard the hon. President of the Council admit, the other day, that it was not a useless institution, and that it was a

necessity of our political institutions. The objection from that Province is now reduced to a certain part of its jurisdiction. The principle of the Supreme Court is now generally admitted. This is an immense gain upon the language used three or four years ago. It was then said in Quebec, by gentlemen who have since become members of this House, that the Court was altogether useless. We can expect that those who spoke that language at the last election will still adhere to that opinion, but we can expect also that if their opinions have been modified on the main question they will be modified on the minor question. One objection now made to the Court is this: It is said that it is illogical for us to submit our laws to be reviewed by a Court composed of men who have not been trained in those laws. Yet we must choose between the Supreme Court and the Privy Council, and everyone must admit that it would be better for us to have them reviewed by the Supreme Court where two of our men sit, than by the Privy Council where none of our men sit. It seems to me quite clear, both from the experience of the past and the illogical opposition now made to the Court, that its unpopularity in Quebec is constantly diminishing, and I have no doubt that in a new Parliament it will have completely died out.

Mr. SPROULE. There is a strong feeling in Ontario against this Court, and were it not for the assurance given by the Government that this matter would be looked into very soon, that feeling would find expression in this House. But as the Government have promised to endeavor to remedy the grievances of which we all complain, the members from Ontario refrained from taking any action against the Supreme Court. The hon. member for West Durham says he is not aware of any members of note in this House opposed to it; but whether they are of note or not, if they are sufficient in numbers to carry the Bill, I can assure him their desire is strong enough to do it.

Mr. LANDRY. Mr. Speaker, it is my duty to protest against the assertion of the hon. member for Quebec East, that the hostile feeling shown up to the present time by the Province of Quebec against the Supreme Court, was gradually dying out. The hon. member for Quebec East is certainly laboring under a false impression. When, in 1877, he solicited the votes of the electors of Drummond and Arthabaska, the hon. member was obliged to defend the creating of the Supreme Court and the votes that he had cast; and if the hon. member was beaten, he may attribute his defeat in 1877 to the bad odour in which the public held the Supreme Court.

Mr. LAURIER. That is not the reason; it is because the member for Beauharnois (Mr. Bergeron) and several others promised that factories should be built in all the parishes.

Mr. LANDRY. I had the pleasure of taking a part in that contest in Drummond and Arthabaska, and as far as I am concerned, I can assert that I did not promise any factories. At that time, we promised that if we were sent to the House, we would try to have justice done to the Province of Quebec, and that feeling has generally grown from day to day. This was referred to just now, when an allusion was made to the several votes taken in this House with regard to the abolition of the Supreme Court. But if one compares this year's with last year's votes, one will see that this feeling, far from being on the wane, is manifesting itself more strongly, for last year there was against the abolition of the Supreme Court a majority of over 100 votes; this year, that majority has been reduced to 49; and should the question come up before the House next year or in two years, that majority will be still further reduced. The Hon. Premier has himself said that if the Government had not put its shoulder to the wheel, the Supreme Court would probably have been abolished this Session, so strong is the hostile feeling against the Supreme Court in this House, as,

indeed, throughout the country. It has sought to make a comparison between the Supreme Court and the Privy Council, and the hon. member for Quebec East has said that he preferred the Supreme Court because we had two Judges who understand our language. True, but for two who understand us, there are four who can only render judgment according to sound principles, whilst in England, before the Privy Council the parties pleading are sure to be understood, whatever be the language that they speak, for the Judges of the Privy Council are erudite men, who perfectly understand the French language.

Mr. LAURIER. This is an argument against the Court; this is an argument against the Judges.

Mr. LANDRY. It is an argument against the Judges of the Court such as it stands to-day; and as long as such Judges form part of such a Court, so long will such a Court suffer therefrom. At any rate, by asserting that the argument is against the Judges, the hon. member for Quebec East admits that there is an anomaly that should be done away with; consequently, we are perfectly justified,—we, representatives of the Province of Quebec,—in demanding justice at the hands of this House, and I am not the only one of this opinion, which is that of the whole population of the Province of Quebec. Who are those who ask that the Supreme Court be maintained? It is perhaps those, who, like the hon. member for Quebec East, are lawyers as well as members of Parliament.

Mr. BERGERON. I can understand the people of the Lower Provinces being in favor of this Court; but, in the Province of Quebec, it is becoming more unpopular every day.

Mr. LAURIER. Why?

Mr. BERGERON. Because we do not want it; because we can have our cases decided in our own Court of Appeal. When the Superior Court was established, it was stated that it would be a final Court of Appeal; but it is not, as we can go to the foot of the Throne. When a lawyer from the Province of Quebec comes to plead before the Supreme Court, he is placed in the awkward position of having to plead in English. When we go before the Privy Council, we can plead in our own language, and we are addressing Judges who understand our laws. I do not blame the Judges of the Supreme Court for not knowing our laws, because they have not studied them; and these men, at least one of them, have shown that they are political men still.

Some hon. MEMBERS. Order, order.

Mr. BERGERON. I say that the sentiment of the House is against the existence of the Supreme Court, and I believe, that if the chief of the Government were opposed to it, it would be swept away by an immense majority. In the discussion which took place the other day, the hon. member for Halton (Mr. Macdougall) spoke logically when he said that we should have the same laws all over the Dominion. If we had the same laws all over the Dominion, there might be some justification for the Supreme Court. But we in the Province of Quebec want to keep our own laws; and I am sorry to hear the hon. member for Quebec East (Mr. Laurier) talking in the way he does.

Mr. ROBERTSON (Hamilton). I am equally sorry to hear a member from the Province of Ontario speaking as my hon. friend from South Bruce (Mr. Shaw) has spoken. The more this matter is discussed, the worse it becomes, as such discussion tends to injure the Court. I think I am in a position to say that the popularity of the Supreme Court is increasing in Ontario day after day. I agree with the hon. member for Westmoreland (Sir Albert J. Smith) that it should be considered as a part of our Constitution.

Mr. LANDRY.

Mr. VALLÉE. Mr. Speaker, I have something to say with regard to the Civil Service Commission, so as to caution those who represent our interests in the Government against adopting the report of that Commission. I hope that the Government will never submit to the decision of the majority of that Civil Service Commission. That decision is simply infamous, and I here declare that if the Government brings forth a measure to give effect to the report of that Commission, that I will strenuously oppose it. The conditions imposed on those seeking employment in the public service would lead one to believe that those who have sat on that Commission have had in view the ostracizing of the French Canadian element from the Civil Service. I hope that the Government will give the matter its most serious attention, and that it will do justice to our fellow countrymen.

Mr. SPROULE. Some of us have heard the case of one man who spent \$800 in litigation for the recovery of a debt of \$40, and still did not collect it. I believe it is every lawyer's duty to defend his own interests, and in defending the Supreme Court or any other Court, he is defending his own interests. But I can assure this House that there is a very strong feeling against the Supreme Court. There is a feeling that we have too many Courts and too much law. I believe, if the question were placed before the people, a large majority of the electors of Ontario would express themselves against the Supreme Court.

Sir ALBERT J. SMITH. I find that a great many appeals come from the Province of Quebec to the Supreme Court. Why is this the case, if that Court is so unpopular as it is represented to be? It deprives the people of no right they had before. They may still go to the Privy Council, if they wish. I believe the gentleman who last spoke does not know anything about the sentiment of the people in reference to this Court. I think the *personnel* and the decisions of this Court are becoming more popular every day throughout the whole Dominion, and there is no just ground for the hostility to this Court.

Mr. LANGEVIN. I have but one word to say in reply to the hon. member for Portneuf, and that is that he need not fear for the interests of the French Canadians. Their interests will be protected as well as other interests.

Resolutions ordered to be reported; and (at 1:45 o'clock, a.m.) the House adjourned.

## HOUSE OF COMMONS.

FRIDAY, 11th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### REPORTS ON PRIVATE BILLS.

Mr. LANGEVIN moved that in accordance with the recommendation of the Select Standing Committee of Railways, Canals and Telegraph lines, the time for receiving reports of Private Bills be extended to the 16th instant.

Motion agreed to.

### SALARIES OF JUDGES.

Order for the House to resolve itself into a Committee of the Whole to consider the following resolutions:—

1. That the following be the salaries of the Chief Justice and Puisne Judges of the Supreme Court of Prince Edward Island, instead of their present salaries, viz:—

The Chief Justice per year .....	\$4,000
Two Puisne Judges, each per year.....	3,200

2. That the following be the salaries of the following County Court Judges, viz:—

To the Judges of the County Court of the County of York, Ontario; of District No. 1, Nova Scotia, and of the County of St. John, New Brunswick, each per year..... \$3,000

To the Judge of the County Court of each County, Union of Counties or District in Ontario, of which the population exceeds 50,000, \$2,000 per year, for the first three years; \$2,400 per year, for the second three years, and \$3,000 per year thereafter. The period of service of a Judge now in office to be counted, but the increase of salary not to take effect retrospectively.

To each Junior Judge of a County Court, \$2,000 per year, for the first three years, and \$2,400 per year thereafter. The period of service of a Junior Judge now in office to be counted, but the increase of salary not to take effect retrospectively.

3. That an additional sum not exceeding \$100 per year, be allowed to such Judges and Junior Judges of County Courts in Ontario, Nova Scotia, New Brunswick and Prince Edward Island, as may be fixed by the Governor in Council, reference being had to the time occupied in travelling and the distance travelled.—(Mr. McDonald, Pictou.)

read.

Mr. McDONALD (Pictou). Mr. Speaker, the notice which has been for some time on the paper, embraces provisions for increasing the salaries of the Supreme Court Judges of Prince Edward Island, and also the salaries of certain Judges of County Courts throughout the Dominion. The publication of the notice following its introduction into this House has enabled me to obtain a large amount of information, with respect to the position of those gentlemen who occupy so important a position in the judicial system of our country, both from members of this House and occupants of the Bench. I have received various communications affecting in a greater or less degree the distribution and nature of the distributions which is proposed by these resolutions. The result of that information thus acquired has been to impress the Government with the fact that the wisest course will be, in view of the fact that the census of the Dominion is about to be taken during the coming summer, and before next Session, and of the necessity of arranging with the greatest care the mode in which the admitted desirability of supplementing the salaries of these gentlemen should be met, not to press upon the House during this Session any of the resolutions of which I have given notice, with the exception of the first. Therefore, I will confine my attention to submitting to the House the first resolution which explains itself, viz: That the salaries of the Chief Justice and Puisne Judges of the Supreme Court of Prince Edward Island, be as follows: The Chief Justice per year, \$4,000; two Puisne Judges each per year, \$3,200. I need not recall to the House the fact that Prince Edward Island was admitted into Union with the other Provinces in 1873. At that period she possessed the same judicial system, the same amount of judicial strength that the Province now possesses, viz: three Judges, one the Chief Justice and two Puisne Judges of the Supreme Court, as it is called in that Province, one of them being also Master of the Rolls and the other Vice-Chancellor. In addition to those, there were at the time of Union three County Court Judges, making altogether six Judges, which is still the judicate strength.

Sir ALBERT J. SMITH. There were no County Courts at the time of Union.

Mr. McDONALD. Yes; there were. We have established no County Courts since Union. At the admission of the Island, the salaries of the County Court Judges were \$3,000, and subsequently we put them on a parallel with the County Court Judges in other Provinces, and placed their salaries at \$2,600. All the Judges of the Supreme Court in the other Provinces have had their salaries increased since the Union. The Judges of Nova Scotia and New Brunswick have had their salaries increased—not to an equality with the salaries of the Judges in the larger Provinces, but *pro rata*, so as to bring them to a comparative equality—not such as we

ought to be satisfied with in the Lower Provinces; but still their position and condition was recognized, and an increase was given which made their position, comparatively with the population, and, perhaps, comparatively with their political influence, fairly consistent with the dignity of their several Provinces and with the dignity of the position which they occupied. At the present moment, therefore, with the exception of Prince Edward Island, the Judges of the higher courts are paid in this proportion: in Ontario, the Chief Justice is paid \$6,000, and the Puisne Judges \$5,000 each, with this very notable and important addition, that the Province of Ontario, under the name of salary for the performance of duties which I think are performed only, or principally, in the imagination, pays its Judges \$1,000 each. So, in Ontario, the Chiefs of the several Courts receive \$7,000 a year, and the Puisnes \$6,000. In Quebec, the Judges do not stand quite so well, because that Province does not pay them anything out of the Provincial funds, and therefore the Chiefs get \$6,000 a year and the Puisnes \$5,000. In all the other Provinces, with the exception of Prince Edward Island, the rates are the same. In Manitoba and British Columbia, Nova Scotia and New Brunswick the Chiefs are paid \$5,000 a year, and the Puisnes \$4,000, while up to this time, in Prince Edward Island, where the Court is of equal dignity and importance in regard to the functions which it performs, and the jurisdiction conferred upon it, and where the only possible difference is the difference of population and the difference in the size of the territory over which their jurisdiction extends, the salary of the Chief Justice is only \$3,000, or \$1,000 less than the Puisnes receive in the other Provinces, and the salary of the Puisnes in Prince Edward Island is only \$2,500, or only \$100 more than the pay of the County Judges in the same Province. I think that every gentleman in the House, however strong his views with reference to economy, will feel that that is a comparison that cannot bear argument. In the first place, with reference, merely, to the social position these gentlemen occupy, and to the changed condition of affairs and the cost of living since Confederation, independent, entirely, of the rank and dignity they occupy as Judges of the Supreme Court in their Province, I think their position is entitled to consideration, and I, therefore, propose not to equalize their salaries with the salaries of the Judges of the other Provinces—though I frankly admit, speaking for myself, that I can find no reason why those Judges of Prince Edward Island should not occupy, in respect of salary, as they do in respect of jurisdiction and dignity, so far as their Court is concerned, the same position as their fellow-Judges in the other Provinces—though I do not propose now to act upon that view—that the Chief Justice in Prince Edward Island shall have \$4,000 a year, instead of \$3,000, and the Puisne Judges \$3,200, instead of \$2,500.

Mr. BLAKE. The hon. gentleman in making an allusion to the position of the several Judges, I think might have added, with reference to which I quite agree with him, is an objectionable provincial payment in Ontario, that the Legislature of that Province has resolved, by a decisive majority, that that payment shall not continue beyond the tenure of office of any Judge who now receives it; so that is not to be regarded as a permanent payment, as I am glad to know. With regard to the present resolution, I cannot myself agree with the personal view of my hon. friend (Mr. McDonald) who, perhaps, may have spoken more as a prospective Chief Justice of Nova Scotia than an hon. member of this House; for he said he could see no reason why there should not be an absolute equality in the salaries of all the Chief Justices and Judges. But I have always agreed that those salaries ought to be suitable to the dignity and position of the offices, having regard to the cost of living and the emolument of the Bar in the Province in which the judgeship was

We have to give, as I said more than once, such salaries as will secure to the people the best persons to fill the high seats of justice. I agree with the hon. gentleman that there is one cause for bettering the position of the Judges in Prince Edward Island, to which he has not alluded—the cost of living has largely increased since Confederation—I do not mean putting it in the old sense of the term, for it would be inapplicable, because the position of those gentlemen was largely improved in 1873, on the admission of their Province into the Union. But since the admission of Prince Edward Island into the Union, the cost of living has largely increased, through the policy of hon. gentlemen now on the Treasury Benches, who probably think they ought to make the Judges some compensation for that increase.

Mr. BRECKEN. I listened with much pleasure to the views of the Minister of Justice, and only regret that he should not see fit at present to carry out his opinions with regard to the compensation of the Judges of Prince Edward Island, who, he properly thinks are entitled to the same salaries as the Judges of the other Maritime Provinces. I am at a loss to understand why the Government should not have made the salary of the Island Chief Justice \$5,000 and those of the Puisne Judges \$4,000. However, in behalf of the judiciary of Prince Edward Island, I will say I am glad the Government have thought proper to make the present increase of their salaries, though I regret they are not placed on an equality with those of the Judges of New Brunswick and Nova Scotia. The Minister of Justice was quite right in saying that just previous to Prince Edward Island entering the Union, we passed a County Court Act, and the Judges of that Court were duly appointed. Previous to that time, we had a Court of Commissioners for the recovery of small debts throughout the Island. That Court is now abrogated, and the duties really performed by the County Court Judges are those which were performed by that tribunal. The member for West Durham threw out some hints upon the cost of living in Prince Edward Island being latterly increased. He was not very clear on the point. I imagine that was a hint to the members from Prince Edward Island who voted for the National Policy. I can assure the hon. gentleman that the cost of living on the Island has not increased on account of the altered financial policy of the Government, though it is a fact that the cost of living has increased within the last twenty-five years to a very great extent. Shortly before I left the Island, one of the Judges of our Supreme Court drew my attention to that fact in the course of a conversation I had with him; and I believe myself that since those Judges were appointed, the cost of living in Charlottetown has increased fully fifty per cent. I suppose the Government had reasons for not dealing a little more liberally with us, but, speaking as a representative of Prince Edward Island, I am glad to find that they have increased the salaries of our Judges. I hope the Minister of Justice will see the propriety, the justice, and the necessity of putting the Judges of our Supreme Court upon an equality with those of the Provinces of New Brunswick and Nova Scotia.

Mr. CAMERON (Victoria). I presume that every member of the House is perfectly content that the resolutions which the hon. Minister of Justice has proposed, should be carried. I understand that it is based on the necessity in order to get the best men to fill the position of Judges in Prince Edward Island, to increase the salaries, that increase having been rendered necessary by the increased cost of living on the Island, and probably also by the increased aims in their profession which are open to the members of the Bar of that Province, who are competent for Judgeships. But the same principle when duly applied, will undoubtedly lead to the increase of the salaries of the Judges in other Provinces; for, as I understand, there is nothing singular in the position of Prince Edward Island in that respect.

Mr. BLAKE.

As the hon. member for West Durham has pointed out, the present addition to the salaries which the Judges of the Supreme Court receive from the Province will not be granted by the Province to any newly appointed Judge; and I am sure my hon. friend the Minister of Justice, when it becomes necessary to fill vacancies occurring in the Supreme Court Bench of Ontario, will find a difficulty in getting those gentlemen whom he would wish to appoint, to accept the position without the additional allowance which is paid by the Province of Ontario. The hon. Minister spoke of this allowance being given in consideration of services which were merely nominal—which had no real existence. The service in respect to which it was originally granted, and has continued to be paid, was the duties which these gentlemen performed as Judges of the Heir and Devisee Court of Ontario. Some years ago they had a large amount of work to do in that capacity, occupying them many weeks, and causing them not a little anxious and laborious consideration. Lately there has not been so much of that work falling upon them, because the powers which they used to exercise exclusively are now vested in the Commissioner of Crown Lands. The Court still meets twice a year, however, for several days, and does a certain amount of work. It will be necessary, hereafter—and at no very remote period—I have no doubt, for the Government to consider seriously the question as to whether the necessity for a general increase of the salaries of the Judges in Ontario at least, has not arisen in consequence of the determination of the Ontario Government not to pay that additional \$1,000 a year. I regretted to hear the announcement of the Minister of Justice that he did not intend to proceed with the resolutions in reference to the County Court Judges of Ontario. I think the putting of these resolutions on the paper, amounted to a statement on the part of the Government that they thought there was a grievance or an injustice that ought to be remedied, and I think it would have only been right had they carried the resolutions through the House, either in their present form, or in some modified form. I have no doubt that every legal member of the House has received sufficiently numerous communications from the County Judges of Ontario to convince him that there was a general feeling that the question of the salaries and allowances of these Judges was one which required consideration, and required also that an alteration be made.

Mr. MACKENZIE. Some lay members have got letters too.

Mr. CAMERON. No doubt they have. I have received at least a dozen myself. I am not prepared to say that the resolutions as introduced, were entirely acceptable, either to the class affected, to the Bar, or to the public generally; but members of the Bar of Ontario on both sides of the House held a meeting, discussed the matter and submitted their views to the Government; and I did hope that the Government, if not prepared to adopt those representations in their entirety, would at any rate have taken up the subject and legislated upon it this Session. I can quite understand that if they adopt the population basis as the foundation for the salaries of the Judges that they could do so better after the census is taken; but still, having raised the hopes of the County Judges of Ontario, that the injustice under which they feel they are laboring would be removed, it is to be regretted that the resolutions have not been proceeded with.

Mr. WHITE (Hastings). I have noticed ever since I became a member of this House, that if a question affecting the Bench or the Bar comes up in the House, every lawyer on both sides is willing to hold up his hands for it. The leader of the Opposition (Mr. Blake) approves of the resolution as a lawyer.

Mr. BLAKE. No; I do not.

Mr. WHITE (Hastings). Well, I beg your pardon then, but if you have not done so on this occasion, it is the first time.

Mr. BLAKE. I have repeatedly spoken in another sense.

Mr. WHITE (Hastings). That is how I noticed the matter. The hon. member for Victoria (Mr. Cameron) says he has received letters from the Judges complaining that their salaries were not high enough; but let there be a vacant Judgeship or deputy Judgeship and many letters come asking for the appointment. I think that both the Bar and the Bench are very well looked after, and the Government has acted wisely in dropping a portion of the resolutions. Had they not done so they would have found a good many of their supporters opposed to them.

Mr. BUNSTER. The Minister of Justice has alluded to British Columbia, but he knows very little of the expense of living in that Province. My remarks are intended for the Minister of Justice, in order to induce him to do justice to the Judges of British Columbia. They have to pay large fees indeed for servants, and when he draws comparison between Prince Edward Island and British Columbia, I am sure he is laboring under a mistake. I am astonished that the Minister of Justice has not done more justice to our Judges in British Columbia and increase their pay as well as that of the Judges in Nova Scotia. I dare say he has learned by this time that one of our Judges, who is a very able and much respected gentleman indeed, from the small pay he was getting, saw fit to better his condition in another country. He has left our flag, as I am credibly informed. It is the duty of the Government to give the Judges sufficient remuneration to enable them to keep up their establishments, as they do in Prince Edward Island and the other Provinces.

Mr. McDONALD (Pictou). I fear my hon. friend from West Durham did not understand my argument, or I am quite sure he would not have insinuated that I was actuated by personal or unworthy motives in bringing down this resolution. I did not advocate at all raising the salaries of the Judges of the smaller Provinces to an equality with those of the Puisne Judges of the larger Provinces. My observation, to which my hon. friend referred, was with reference to the inequality between the salaries of the Judges of the smaller Provinces. I observed that personally I could not see why the Chief Justice of Prince Edward Island should not receive the same salary as the Chief Justice of British Columbia, or Manitoba, or New Brunswick, or Nova Scotia, but I did not in any way, so far as I can recollect, advocate raising the salaries of all the Judges to an equality with those now received by the Judges in the larger Provinces.

Mr. BLAKE. I hope the hon. gentleman and the House did not suppose I was making an imputation on him. I thought I was making a very innocent and not unpleasing joke. I am glad to see that there was so much earnest about it.

Resolution considered in Committee, reported, read the second time, and agreed to.

Mr. McDONALD (Pictou), introduced a Bill (No. 95) to increase the salaries of the Judges of the Supreme Court of the Province of Prince Edward Island.

Mr. BLAKE. From what date is the increase to take place?

Mr. McDONALD, From the first of July next.

Bill read the first time.

#### PETROLEUM INSPECTION ACT.

Mr. MOUSSEAU, in moving the second reading of Bill (No. 75) to amend the Petroleum Inspection Act, 1880 (from the Senate), said: When the hon. leader of the Opposition asked for papers relating to this subject, he said he was

opposed to the principle of this Bill unless it could be shown that it was in the interest of trade. I think it is not only in the interest of trade, but of public safety and of National Policy. The flash test is one necessary for the public safety, and after the experience of this and other countries, the gravity test is found to be a secondary precaution. It appears that there is a substance called paraffine in coal oil. The specific gravity of petroleum is increased by the presence of paraffine held in solution. The presence of paraffine in excess permits the presence of the lighter products of distillation in greater proportion than is consistent with safety without reducing the flash test so long as the paraffine is held in solution. An exposure to cold, say to a temperature of 15 degrees Fahrenheit, will crystallize the paraffine which is then precipitated, when the lighter products predominate, and the petroleum that previously stood the flash test, ceases to do so and becomes dangerous. It has also been found that petroleum which contains an excess of paraffine becomes dangerous in another way. The lamp wick becomes encrusted and its capillary action destroyed by the paraffine, and the circulation necessary while feeding the flame is impeded. As a consequence the wick holder is heated, the heat is communicated to the metallic parts of the lamp and thereby to the oil, and an explosive vapor is generated. Probably a greater number of lamp explosions originate in this way than in any other.

Mr. COLBY. It is obvious that the paramount consideration in legislation on this important subject should be that of the safety of the people who use the burning oil. That was the object of the legislation of last year. We all recollect, prior to the assembling of Parliament last year, the large number of fearful and heartrending accidents that occurred all over the country. The attention of Parliament was called to the fact, and legislation was had, which was designed to insure to the people a safe burning oil. In that particular, the legislation has been eminently successful, for during the past year we have noted almost no accidents. In fact, I do not myself recollect to have seen in the newspapers the report of a single accident. Undoubtedly some have occurred that have not fallen under our observation, but I am sure we must all be aware that the danger of the use of coal oil has been very much lessened by the higher fire test and the higher gravity test adopted at the last Session of Parliament. But the effect of both of these tests, while they ensure safety, has been in the direction of enhancing the cost of the oil. There is no doubt that we can have a cheaper oil by removing both tests, but then we would have oil that would be as explosive and dangerous perhaps as gunpowder. The practical point for this Legislature to determine is what is the safety point, and this is one attended with a great deal of difficulty. This is obviously so, because no laboratory experiment can determine this point. You cannot subject the oil to any chemical tests that will correspond with the actual conditions existing in the country where the oil is used, because we know that the oil, in many instances, is ignorantly exposed to an inordinately high temperature. It is not unusual to find, in a country store, a lamp suspended near a stovepipe, and to see oil exposed in such a way that, unless it is absolutely safe, accidents must occur. Then again, a chemist cannot take accurate account of the actual condition of the lamps, burners, and other appliances made use of. Consequently, no office or laboratory experiment, with respect to either the fire test or the gravity test, can be an infallible guide. Any legislation on this subject must be tentative. Now, the question is, how far may we with prudence relax the test imposed last Session, so as in some degree to cheapen the cost of the oil? I am in favor of relaxing the gravity test; I am not in favor of relaxing the fire test. I think experience has shown us that we have arrived at about the

right point. I am very glad that the Government now brings down the proposition I urged with great pertinacity and earnestness last Session, and that they recognize that there is no difference intrinsically between Canadian and American oils, and that they should be subjected to the same test. The Government went a long way last Session towards meeting that view, and this Session I am very glad to see that they have gone the whole length in that direction. I am very glad to know that my opinions on that subject have been confirmed by tests which I understand the department has made during the previous year. I think it would be unwise at present to tamper in any way with the fire test, and I am very glad the proposition of the Government does not propose to do so. The hon. Minister who introduced the Bill intimated his willingness, if it be the sense of the House, to relax the gravity test from 802 to 805, and I think that, perhaps, he is acting prudently. I think it may be relaxed to that extent with entire safety; possibly it might be relaxed to a greater extent. I am not at all sure that it would not be safe to relax it to 807, but I do not think it would be safe to go beyond that. In this matter we should proceed with caution. I would rather be conservative in this matter. I would rather the hon. Minister would relax the test to 805 this year, and if found safe to do so, make another relaxation to 807 next year, than take the jump from 802 to 807 this year. It is an experiment which cannot be determined with accuracy in the department itself, it must rest on experience outside the department. I think this legislation is wise and judicious and conservative. There is no doubt that the safety of oil largely depends on its gravity as well as upon the other conditions, for, in order to have a safe oil, it is necessary there should be free combustion. Anything that prevents free combustion, anything that prevents the ascent of the oil freely from the lamp through the wick, anything which has a tendency to char the wick and check the combustion of the oil increases the risk of explosion; the lamp becomes heated, and the gases which would, if there were free combustion, pass off and be consumed, are pent up within the lamp and only wait the opportunity to explode. On the whole, I am inclined to think that these propositions are entirely within the line of safety. I think the House should accept the suggestion to relax the gravity to 805, reserving the privilege of still further relaxing the test if it were found safe to do so, rather than overstep the line and find ourselves using an unsafe oil. I have stated that these restrictions do somewhat enhance the cost of the oil, but it has not enhanced it to the extent popularly believed. The popular impression is largely due to the change in measure. This year we are using the Imperial gallon when formerly we used the wine gallon, and people, on finding they are paying several cents more per gallon for their oil, are apt to overlook the fact that they get a larger gallon than they did formerly. I happened to be absent from the country, during autumn, when a very interesting newspaper discussion was going on, and did not observe it, but since the opening of the Session I have taken some pains to ascertain what has been the cost of the oil that is used in the section of the country from which I come. I obtained from a leading dealer in oil in the Eastern Townships, a firm very reliable in its statement, a statement of the cost of oil to them per wine gallon. The cost in Portland was thirteen cents per gallon; adding the various items of freight, duty, inspection fee, duty on barrels, freight on empty barrels returned to the United States, Customs fees, Customs charges on the returned barrels, the whole amounting to 21 $\frac{3}{4}$  cents for the wine gallon, which is not an inordinate price. I believe also that similar prices have been obtained in Cleveland.

Mr. BLAKE. Are they New York prices?

Mr. COLBY.

Mr. COLBY. I have not enquired with regard to New York prices. I have enquired with regard to Portland and Boston prices, with which I think Cleveland prices correspond. The firm to which I have referred, Messrs. Luke and Mitchell, have given me a statement of the cost, which amounts to 21 $\frac{3}{4}$  cents laid down at Sherbrooke. These prices should have determined the prices of Canadian oil, but it is possible they did not do so, because it is quite possible that merchants who are in the habit of ordering their oil from certain Canadian firms have kept on doing so without any reference to the prices of articles imported, and I have no doubt that, in some instances, owing to the disturbance during the autumn which is likely to occur in any branch trade for a short period, people have been paying more than was necessary to pay in consequence of any legislation that was adopted, if they had enquired as to the cost of oil in the American market. I will go as far as any man in the direction of relaxing the test in order to get cheaper oil within the line of safety. Still, I believe, we ought to be conservative in this matter, because it is one on which hon. members are very ill-informed. This question of the gravity test is not one to which many hon. members have given any special attention. What little attention I myself have given to the subject, has been rather directed to the fire than the gravity test. I am fully persuaded there should be a gravity test in order to procure safety. With these views I shall very heartily support the proposition of the hon. Minister. I believe the legislation is in the right direction. I shall be very willing, at the next Session of Parliament, if it is proved that we have not overstepped the mark in making the test 805 to 8° still further in the relaxation of the gravity test. The problem is one that cannot be solved by discussion here or by any experiments in the laboratory. It can only be solved by experience in the homes of the people.

Mr. BLAKE. To what extent will the relaxation of the gravity test tend to reduce prices?

Mr. COLBY. I believe it will lessen prices by one cent per gallon.

Mr. BLAKE. The Bill, of course, is an improvement on the law as it now stands. It is an improvement certainly to find the fire test equally applied to the imported and the native oils. I find the hon. member for Stanstead (Mr. Colby), who at an early period, with other hon. members, took that view, at length was justified by the decision of the Government itself. Sir, the circumstances under which the struggle took place and was continued, and was for so long successful, for obtaining and retaining a higher fire test for American than Canadian oil renders me somewhat suspicious of the motives which have animated those who have pressed upon the department the adoption of the gravity test; because it is admitted pretty candidly by the hon. Minister on a former, as on the present occasion, that his Petroleum Act was a combining of a regard for safety and of a regard for the National Policy. Now, the argument that was addressed to us when we were asked to sustain a difference between the fire test on Canadian and American oil was not that it was a protection to native oil. It was that the circumstances were such that, in order to secure public safety it was necessary that there should be a higher fire test on American oil. Protection, hon. gentlemen were told by the hon. member for Stanstead, and other Protectionists, they were quite willing to give Canadian oil. Hon. gentlemen said: "Whatever the Canadian manufacturer require in order to give him command of the market, we are willing to give; but we want to be honest about it; and have it put on in the shape of a duty, and by that means we shall know precisely how the thing is worked;" but the hon. gentleman asserted that this was an indirect means of giving an industry an additional amount of protection in a dishonest way under the color of a provision for the public safety. Of course, I

took the hon. gentleman's statement to be accurate. I was prepared, had he done last Session what he intimated it was his intention of doing, to have sustained him by my vote in equalizing the test, as I quite agreed with him that it was a very great additional disadvantage that the attempt to encourage manufactures should be done in an indirect way, under false pretences, and in a manner in which the public could not calculate what the effect of the protection was or what was the exact operation of the whole system. I am not imputing to the hon. gentlemen on the Treasury benches that they did not really entertain these sentiments with which they pressed those Bills; I am speaking of what I believe to have been the views on which inequality of tests were pressed by those interested on the attention of hon. gentlemen opposite. That is all admitted now. Hon. gentlemen have found that the arguments that were then advanced were worthless, that public safety does not require an inequality of tests, that public safety is secured by a fair test, and exactly the same test being applied to American and Canadian oil. There remains the serious question whether the test is not fixed too high in order to keep out safe American oil. I fear it is. Hon. gentlemen have also found, of course, that public sentiment was not such as would admit, in view of the results of that mode of protection, the adoption of the National Policy in this particular department of it; yet the hon. gentleman told us the other day that it was a mixed system under which the public safety would be assured, and a little additional protection introduced. Now, what follows from all this? This follows. When the same source, which you have found misled the Government, the House and the country for some years with respect to the fire test, proposes a new gravity test, you have a right a little to suspect the representations made by those persons; and when to that is added the fact that the gravity test was propounded not in public, not in a manner in which the House had any practical means of forming or expressing an opinion upon it, it is the less entitled to respect. My hon. friend for Stanstead (Mr. Colby) says it behoves us to be excessively cautious how we interfere. Were we not rash in interfering in 1879 and 1880? It is well to recall the circumstances under which the prohibitory gravity test was introduced and placed upon the Statute-book. Resolutions were introduced by the late Minister in 1879, which he declared had regard to the fire test. Neither in his speech nor, as far as I recollect, in his resolutions was a word said about the gravity test. It appeared for the first time in the Bill. There was no explanation given about it in the House. As far as appears from official reports of the House—I was not then a member—and without any statement being made, it passed through the House wholly unobserved. It was inserted in a law which the House was told was designed to deal with the fire test, and this new prohibition with regard to oil became the law without one word of explanation, of discussion, or without any opportunity being given to those concerned to make their representations, to give their explanations, to consider the matter, or to the House to form an opinion upon it. In that way a prohibitory gravity test of 807 found its way on the Statute-book. What happened during the Session? The hon. Minister found this Bill of 1879, which had been carried through the House in a very great hurry as far as the fire test was concerned, and with still greater celerity and less discussion certainly, as far as the gravity test was concerned, did not answer the purpose. The fire test being the subject of very much discussion during last Session, the hon. member for Stanstead (Mr. Colby) having from an early period intimated his intention to move an equalization of the tests on American and Canadian oils—the Government having, as we know people constantly in communication with them, persons sitting in the Library and about the House almost the whole Session in

connection with the question, in the interest of the oil refiners, I believe, or of some of them—I say the Government then brought in resolutions, and the Minister announced that those resolutions dealt solely with the question of the fire test. The hon. gentleman did not say a word about the gravity test under the resolutions. The House was not told it was intended to alter the gravity test in any way or shape; the Bill was brought in, run through the House, and passed its stages in about five minutes, without one word from the Minister to inform the House that the Bill dealt with anything else than the fire test. I would like to know how many hon. members knew that the prohibitory gravity test of the previous Session had been by that legislation altered, and made still more rigid than it previously was? Well, the hon. gentleman has found that in both those measures as to the fire test there was error, and that in the principle of inequality there was error. He has found, practically, that in the change made in the gravity test of last Session there was error; because he now announces a willingness to alter that test and bring it to a point between the point of the Bill of 1879 and that of the Bill of 1880—to bring it up again from 802 to 805, which he informs us he believes the minimum test which is safe. As I understand him, he proposes this test on the ground of the public safety, and not from those mixed motives from which he appeared to act on a former occasion—he proposes to adhere to a prohibitory test and fix it at 805. Both these propositions are advanced—first, that the public safety requires a prohibitory gravity test, and, second, that it requires to be fixed at 805. I think when we find that it is proposed to change the action which took place at the close of the Session, after full information to the Government though not to the House, it would be more satisfactory if the hon. gentleman would give us the full details of the evidence upon which he proposes this reduction. The member for Stanstead (Mr. Colby) says there can be no scientific evidence which would prove it, that nothing in the laboratory would enable one to tell the safe point; that the test of practical experience, as the oil is sometimes used, is the only test available. Well, then, where is that, and wherever can that be which will enable us to reduce the gravity test? Will you prevent me absolutely from burning in my house or warehouse oil of a lower gravity than 805, and at the same time announce as your principle of action that, unless by the practical experience of ordinary consumption, it is impossible to tell whether any lower gravity will be safe? How in the world are we ever to know that any lower gravity would be a proper test?

Mr. COLBY. If experience proves that 805 is not safe, we may go to 807 next year, and if this figure will not answer, to 809 the year following. Do not overdo the mark.

Mr. BLAKE. I do not wish to overdo the mark. The hon. gentleman says, that in this matter experience alone is the guide—that practical experience has told us 802 is safe. Well, how does he know that 803, 804 or 805 would be safe?

Mr. COLBY. It is purely an experiment.

Mr. BLAKE. You are going to make a test. The hon. member for Stanstead states the refiner's test is not safe—that you want practical experience to guide you in fixing a test. I say there is nothing to show that any change is safe. But he says, practically, we will make a jump in the dark so far as 805—it would be dangerous to make a jump so far as 806—and that if you find 805 is not safe, by the experience of a year, we can go down to 807, obviously reducing the amount three points this year and two points next year, and, I suppose, the following year, if that is safe, one per cent. I do not know whether the hon. gentleman proposes later to go down half a point, if that is safe; but it

is a diminishing ratio of progression that he proposes for these tests. I think there is much force in his view as to practical experience with reference to that degree of safety or danger in the burning of the oil, in this question of capillary attraction; but I deny that it would be reasonable or right, with the enormous additional cost which a very high gravity test would impose, to apply such a test as he proposes. He says we know that oil is often very carelessly used—that in the country, sometimes, it is put in very close proximity to a warm stove—and we want to provide that the oil should be safe when men use it in a dangerous manner.

Mr. COLBY. That was not my argument. We must take, I said, the average experience. I say the oil is exposed to such conditions. I do not believe that oil should be made so absolutely safe that under no possible amount of carelessness or mismanagement there would be an explosion. I instanced an extreme case. I do not say that we ought to keep a test that would meet that extreme case; but we have to meet all conditions of practical use. My argument simply is, that the whole thing is an experiment; it cannot be determined in the laboratory, in the office, or in any other way than by the average of common experience under the conditions that exist. I mentioned the difference in lamps, mentioning old worn-out lamps as one of those conditions. Another is a very serious condition in the climate: it is found that a certain degree of cold will separate the constituents of the oil, leaving the lighter particles to rise and the heavier to fall. The oil may be drawn off in such a way after this partial separation, that the heavier particles forming the lower strata, and the lighter particles the upper, will only at a certain temperature be wholly mixed; at another temperature those particles will be separate, and you may get the heavier particles where you got the lighter. These conditions will enter into the general public experiment; and upon the results as they are found to exist, I am prepared to base my judgment, and not upon any scientific test. We are within the line of safety now. I am prepared to relax it step by step until we come to the verge of safety, which ought to be the getting of the cheapest oil compatible with safety.

Mr. BLAKE. The hon. gentleman says he is disposed to take an average, and he has given us a new instance of the risks experienced in this connection, which suggests the old direction that druggists attached to their mixed prescriptions—to be well shaken before taken. I do not know to what extent this argument may go. If there is a possibility that the oil, unless well shaken up, may in certain states of temperature separate itself, one part becoming very dangerous and one part quite safe, we may have—to accomplish absolute safety under all conditions, if one portion will not rise in summer as well as in winter—to raise the price of one of the first necessities, perhaps I should call it the first necessary of life to the people. I say there is a reasonable mode of dealing with this question, not dependent upon the conditions which the hon. gentleman suggested. While those conditions, from their importance must always be taken into account—I mean those connected with the practical working of any test through the whole country for a considerable period of time—I am quite sure it is possible to accumulate evidence very rapidly and easily, from the consumption of oil with lamps in various states of use and deterioration, with various kinds of wicks, to make such experiments with much greater rapidity than the hon. gentleman suggests, and yet to gain quite a sufficient margin of experience to enable us to act otherwise than the hon. member supposes. And mark this: it is a serious question for the people of this country. The tax which they are paying upon their light in order that some careless people might be protected from reaping the consequences of their own carelessness—

Mr. BLAKE.

the general tax which the whole community is paying is something enormous. What with the combined operations of the law I find that the price which Canadians pay for their oil is now about twice the price which is paid in New York, and a little while ago it was three times as much.

Mr. COLBY. But that is not the fault of the law.

Mr. BLAKE. I said that I was not speaking of this provision of the law alone. It is partly, and I believe largely, the fault of the provision we are discussing, and I agree it is not entirely the fault of this particular impediment. But all your laws in reference to petroleum at this moment, as I understand from practical men, have this result: that the people of New York can buy their oil at one-half the price which we have to pay for ours. How long, I ask those who are interested in the protective aspect of this question, will the people of Canada submit to pay twice as much for their oil as they need to pay? I say that those who are interested in the production and manufacture of oil in this country, are playing a most suicidal part in endeavoring to keep up the gravity test to any point which is not demonstratively demanded by the public safety. Inasmuch as it is clear that the gravity test does enhance the price of the article, the result of their keeping up a difference between the price of the article here, and the price at which, but for this test could be procured, will be that the whole fabric will fall; and, therefore, in their interest—though I do not profess to speak in their interest—it is important that an obstacle which will have the effect of still further increasing the price of oil should be removed. There is indeed a reason why a very high specific gravity test is favored by some who are engaged in refining. It is favored by those who at once produce crude oil and refined—those who are owners of oil wells and refiners. And why is it favored by that class? It is because the higher you keep the prohibitory gravity test, the more gallons of crude oil you require to make a barrel of refined oil; because there is a greater consumption of the raw material, to give the people the same number of gallons of refined illuminating oil. That is the purpose, and that is the line which now divides the refiners of this country on this subject. Those who are not engaged in producing crude oil, so far as I am aware, are almost unanimously in favor of the reduction of the specific gravity test. Those who are not engaged in producing crude oil—some of them at all events—are taking a somewhat different position.

Mr. COLBY. Will the hon. gentleman permit me to state that every refiner who has communicated with me on the subject—and for some reason or other a great many do communicate with me—has been in favor of the relaxation of the gravity test.

Mr. BLAKE. To what degree?

Mr. COLBY. To different degrees, but they are all in favor of relaxation.

Mr. BLAKE. I do not say that they are not in favor of some relaxation, but I say that, so far as I have had communications, I find the line to be that those who are not engaged in the production of crude oil are more liberal with reference to the degree to which they are willing and anxious that a specific gravity test should go than those who appear to combine the operations of producing and refining the crude oil. For this I can find but one reason, namely, the reason which animates the producer of crude oil—and it is not a reason which should commend itself to this House—that there should be a real waste of the natural production, only that there might be a greater quantity consumed at the expense of the people of this country. It is true I have received letters from some engaged in both trades, and none of them have favored keeping the test up to 802, and that is the strongest proof

that could be given of the utter recklessness and impropriety of the legislation of last Session. I believe that with the exception of one man who professes to speak for the trade, no man engaged in the trade knew the intentions of the Government with reference to the gravity test which they imposed last Session; and that if the Government had acted upon the wise and proper course which should precede all legislation of ascertaining the views of the people with regard to it, the change would not have taken place. On the evening the Bill passed through the House, I received a telegram from one of those who are engaged most largely in both producing and refining, stating that the Canadian trade would be ruined if the change was made. I received this telegram at eight or nine o'clock in the evening; I went for the purpose of showing it to the Minister, but he was not in his place; I went again at ten or eleven o'clock, but I found that with that expedition which sometimes characterizes the other branch of the Legislature in some matters of legislation, the Bill had passed beyond its reach. I can understand that those who are engaged in the business in a very large way and have worked up to the exigencies of this test, should desire to retain an advantage which they have acquired, but I say that this test operates injuriously in two ways: First, by requiring a much larger quantity of raw material to make the same number of gallons of refined oil, and, secondly, by requiring a tedious and somewhat uncertain process to be gone through with in order to produce the result; for it not unfrequently happens that the process has to be repeated at considerable expense to give the oil—after it has attained the required fire test—the specific gravity which is prescribed. Those who have the best instruments, those who have their business in such a shape, that they can with the greatest certainty work up to a high and difficult test, would have a considerable advantage over others, under the operation of a law which insisted on such a high test, and I can conceive that they too should also be anxious to keep it up to a needlessly high point. Upon the evidence which I have at present, though I hope we shall have more before the Bill goes through, my belief is that the general view of the refiners is, that there should be a considerable reduction in this test, even in their own interest. I wish to say further, that while I have compared the general price of oil in New-York with its price in that country, I do not contend that that is the only test. It is well known that the price of oil is regulated in many cities, for instance in Cleveland, as I believe, and in some other places as I know, partly by their tests, but largely, not by any operation of the laws of trade, but by the will and power of the Standard Oil Company. That great monopoly, by reason of the power it has attained, and by means of the arrangements it had made with railway companies, does keep up in some places much more than in New York, but, as I believe, in New York itself, also, much beyond the level which it would otherwise attain, the price of oil in the United States. Therefore we are making a comparison, not with the price at which the people of this country might obtain their oil under natural circumstances, but a comparison with the very disadvantageous circumstances existing in the States; and still, disadvantageous as they are, and however great the odium which has been created by the existence of the Standard Oil Company monopoly, they are so much better off than we are that they are paying now in New York about half what we are paying here. My desire is that we should not, in legislating upon the subject of gravity, legislate upon the same line as animated the legislation upon the fire test; but that we should legislate with regard to the public safety alone; that we should not interpose in this matter what the hon. Minister thinks is a good thing, the question of indirect Protection; that, whatever we are willing to do to protect the producer of crude, whatever we are willing to do to protect the manufacturers of refined, we should do honestly, openly, and above board, by a duty levied on the

imported article, and that we should, as far as all other regulations go, make them just as free as the public safety will permit. We have come down to that now, as we are told, in the fire test, though that is still a question. We find, it is said, that 802 is the lowest to which the hon. gentleman can go as to the gravity test. I do not intend to discuss that point just now; it will come better in the discussion upon the reception of the report; but I wish to say for myself that I think it wholly indefensible to legislate in the way of prohibiting the people of this country from what they shall eat, drink, or wear, or consume, in any shape or way, except with regard to the public safety. My hon. friend (Mr. Anglin) does not extend that to alcohol. I think the public safety is concerned in the alcoholic question, therefore I am quite consistent. I look with well grounded suspicion on the representations which induced the Government to bring in a gravity test of 807, to alter it by making it 802, and which have now induced the Government, in obedience to a very strong pressure, which was due, I suppose, to the enormous prices which oil has attained, to say that they are willing to make the reduction to 805. I say I believe their sources of information are largely tainted sources, that they are tainted in this sense: that their informants are animated by a desire to make as high a gravity test as possible with the view to a greater consumption of the raw material, and not with exclusive reference to the public safety.

Mr. ORTON. The leader of the Opposition has treated the House to a very elaborate statement on this subject, but I think he has furnished us with very little information. I think the hon. member for Stanstead (Mr. Colby) has treated the subject very clearly. The flash test is now the same on Canadian oil that it is on American oil. The fire test, which my hon. friend has referred to, has nothing to do with the public safety. With reference to the gravity test, it does not aid in any way to increase the protection against American oil. American oil, as a rule, is much lighter than Canadian oil, and it is much lower than 802. I believe there is one kind of American oil imported into some parts of this country that is of the same heavy character as the great part of our oil. I must congratulate the Government that they have seen their way clear to increase the specific gravity, because it will enable our coal oil refiners to produce an oil at a much cheaper rate, and the public will be the gainers. I am glad to notice in a paper I received the other day that there have been new oil discoveries at Oil Spring; new wells have been struck, and the oil obtained is of much better quality than that at Petrolia. Consequently the Canadian public will receive a better oil in the future and at a cheaper rate. That paper states:

"We are bound to light up Canada with a pure, clear, non-combination burning oil; there are already other companies forming; one expects to commence operations next week, and so confident are our citizens of success, they are willing to stake their last dollar in the enterprise. With the C. S. Railway station at Oil City within two miles of us, and the superior quality of our oil, we will guarantee Dr. Orton, M.P., and his friends who are crying out against the Petrolia monopoly, that we will give them as fine and much safer burning oil than the Americans at reasonable rates.

I think there will not be much interference with the duty, and if the Government next year can see their way clear to still further increase the specific gravity it will be a still greater advantage to the public.

Mr. KILLAM. There are persons who believe that all the legislation upon the subject of oil has been entirely in the interest of the oil producers of Western Canada and against the interests of the public generally. I do not object to the oil legislation we have had as a Free Trader only, but in the interest of the revenue and the interest of morality. The hon. member for Stanstead and myself can scarcely agree upon the prices in the United States. I am inclined to think, from the low figures he has given of the

prices in the Eastern Townships, that by some means or other oil of a lower grade is admitted there than is allowed to pass through our Custom house. I took trouble to make inquiries in Boston, from which the Maritime Provinces are chiefly supplied, and I learned that the price of oil which would pass the Canadian test was 17½ cents per wine gallon. It was oil of a lower grade, but it was in common use and was considered perfectly safe for domestic purposes there, and was selling for about 11 cents, I think. I have reason to believe that, in some cases, the owners of vessels trading between some ports in the Maritime Provinces and Boston have brought back cheap oil as a return cargo, and smuggled it into some outports of Nova Scotia or New Brunswick, having a premium, partly from the Minister of Finance, and partly from the Minister of Inland Revenue, of something over 100 per cent. for so doing. My opinion—and I believe I speak the opinion of the great mass of the consumers in the Maritime Provinces, as well perhaps, as that of the people of that part of the country which my hon. friend from Stanstead represents—is that the test is now too high. I believe the test in England is only 105, and that the oil, under that test, is used with perfect safety. I believe the law will not be right until the specific gravity test is taken away; until the fire test is reduced to something like 105, and until the oil producers and refiners of the west are satisfied with the too high duty of six cents per gallon, which is nearly 100 per cent.

Mr. COLBY. I think the change in the fire test from 120 to 115 will be sufficient to meet the views of my hon. friend (Mr. Killam). Last year there were experts here from the United States, among others a gentleman who is the inspector of nearly all the oil that goes from New York to Liverpool, and they were under the impression that a fire test of 120 would admit the standard oils, which were not too expensive. But it has been found by experience that many oils would not come up to that standard, but, perhaps, as far as 118, and could not be admitted. I have no doubt, therefore, that a test of 115 will admit that class of oil which my hon. friend desires to admit.

Mr. KILLAM. I do not pretend to have that knowledge of the subject which the hon. gentleman has, but I believe every time an oil bill has been brought before this House, it has been for the purpose of giving underhand a protection to the refiners of the west above the six cents of duty which we are willing to allow to them openly and honestly.

Mr. MOUSSEAU. The hon. leader of the Opposition tried to make the House believe that the Government had concealed the fact that they wanted to place a high duty on American oils, and give greater protection to Canadian oils. I want to say to the House and the country that the policy of the Government from the beginning of this matter has been fair and above board. When in 1879 we made the flash test 105 on Canadian oil, and 130 on American oil, it was obviously protection for Canadian oil. So that we have resorted to no crooked ways in bringing our policy before the country. This year, when we say that the flash test shall be uniform on American and Canadian oils, we cannot be accused of anything of that kind. The hon. gentleman regarded the gravity test as another means of giving protection. In establishing the gravity test, the Government have been inspired by a very simple motive. As I have said, this is a new trade. It attracted the attention of the House first in 1868. In 1871 we applied the flash test. Then it was discovered that a new test was necessary. Everybody knows that before 1868, the daily papers constantly recorded accidents from the explosion of coal oil lamps. After the introduction of the flash test, the number of accidents decreased. I may mention that some three years ago, the attention of the department was directed to the effect of the change of temperature on the quality of petroleum, and some experi-

Mr. KILLAM.

ments were made in relation thereto. Among others, a quantity of petroleum of known gravity and flash test was placed in a tall sample bottle, at a temperature of about 65 degrees. It was then, by means of a freezing mixture, reduced to a temperature somewhat below zero. A sample taken from the top of the vessel would not stand as high a flash test by about 10 degrees as it stood before it was exposed to the cold, and its specific gravity had been reduced. A sample taken from the bottom of the vessel stood a higher flash test than before, and its specific gravity had been increased. The causes of explosions are found to be quite as often from lamps in bad condition, and wicks in bad condition, as from low test oil. The highest test oil that can be made will explode if sufficient care is not taken to secure free circulation through the wick and free combustion in the burner. Various experiments have been made during the last twelve months, and their results decided the Government to retain the test. As the hon. member for Stanstead has well explained, the refiners do not want the gravity test applied, as it is not in their interest to apply it. The Canadian oil being much lighter than the American oil, the former averaging seventy gallons to a hundred gallons of crude, and the latter only forty gallons, no protective policy would be sufficient to counteract the difference in quality. By applying, therefore, the flash test and the gravity test equally to both oils, you will get the best oil at the cheapest rate.

Bill read the second time.

House resolved itself into Committee on said Bill.

(In the Committee.)

Mr. BLAKE. I am always disposed, when I cannot get all I want, to take what I can get. I move that in the first clause, two be struck out and five substituted.

Mr. MOUSSEAU. That is my proposition.

Bill, as amended, reported.

#### TELEGRAPHIC COMMUNICATION BETWEEN BRITISH COLUMBIA AND ASIA.

House resumed the adjourned debate on the proposed motion of Mr. Langevin: That the House go into Committee of the Whole to consider certain resolutions respecting telegraphic communication between the Pacific coast of the Dominion and Asia.

Mr. LANGEVIN. Since the adjournment of this debate the other day, the Government have considered this resolution, and come to the conclusion to ask the House to pass it with this modification—striking out the exclusive privilege. The other modification I stated the other day—that instead of the date, 1st October, we should put 1st January next, giving the promoters twelve months for preparations, on account of the great distance to be travelled. We think twelve months is not, under these circumstances, an unreasonable delay.

Mr. BLAKE. I am sure the House will receive with every gratification this announcement, because it will remove serious difficulties in the prosecution of this measure. I suppose that this announcement involves the announcement of the policy that this Parliament will not be asked to consider this privilege an exclusive power, or to reject another proposal for the incorporation of cable companies for the same purpose.

Mr. LANGEVIN. Of course.

House resolved itself into Committee.

(In the Committee.)

Mr. BLAKE. There is just this question which I would like the Minister of Public Works to answer: what is the

reason now that the monopoly is removed, that the incorporation should not be under the Electric Cable Companies Act—why there should be special legislation at all?

**Mr. LANGEVIN.** We are of opinion that special incorporation under the powers asked here, would be the proper thing under the circumstances. The general Act is not considered sufficient, or perhaps certain modifications would be required in the Bill. When it is introduced and printed, hon. gentlemen will see whether there may not be certain provisions that are not required here, because they will have to be made specially. The idea is to secure for Canada that telegraphic communication with Asia which we may not obtain, or which we may only obtain with great difficulty, if we delay the matter any longer. I shall have great pleasure in showing the hon. gentleman the correspondence, and when he sees it, perhaps he will agree with me that it would be inadvisable in the public interests to publish it at once.

**Mr. BLAKE.** My suggestion was not made with the slightest idea of causing delay, but I think it a sound principle not to have recourse to a special Act if the work can be accomplished by the general law. I would like to ask if it is intended to depart from the provision of the Cable Act with regard to the prohibition, upon the granting of the charter, with reference to those companies who insist upon maintaining exclusive rights elsewhere.

**Mr. LANGEVIN.** No.

**Mr. BLAKE.** So that if exclusive rights had been obtained in Japan, it would be incumbent upon the projected corporators not to insist upon those exclusive powers?

**Sir ALBERT J. SMITH.** I should like to know if the hon. Minister can give us any reason for the Government introducing a special measure for Mr. Fleming and his friends, when others are not so favored?

**Mr. CURRIER.** I should like to know upon what footing the Bill, for the incorporation of the other company, will stand; whether it will be allowed to pass, and if the two Bills will be on the same footing. Also, if there will be any deposit?

**Mr. LANGEVIN.** There will be no deposit in either case. The Bill to which he refers will come before the Railway Committee, where I have no doubt it will receive that justice which the Committee accords to all measures which come before them. In reply to the hon. member for Westmoreland, I may say that I think if he looks at the general Act he will find that this company could not be incorporated under it. As I stated before, the Government thought, and they still believe that it would be in the interests of the Dominion that we should ask these powers.

**Mr. BLAKE.** I understood my hon. friend to say at the beginning, in answer to my question, that the elimination of the monopoly clause was intended substantially to indicate that it would not be the policy of the Government to obstruct the incorporation of other companies. That is his first position. I think that is wholly satisfactory so far. I think it will equally follow from that view, that as a general principle, when the Government is proceeding to consider the provisions of proposed incorporations for other companies, they will put them on the same footing as this company. There are some things in his Bill that are objectionable. There are some things the hon. Minister proposes to introduce that may be objectionable, but I think it will follow naturally from the view that there is to be no monopoly, that there is to be no preferential advantages of one company over another.

**Mr. CAMERON (Victoria).** The removal of the monopoly clause from the resolutions removes the objections to the Bill, as I stated to the House the other day when the

matter was before it. I would suggest to my hon. friend that the question that has now been raised, will be more definitely discussed after the Minister of Public Works introduces the Bill which he proposes to do. When it comes up for discussion in the ordinary course, the Bill of my hon. friend will have passed the Railway Committee, and will then be before the House. We will be in a position to see just what rights and powers Parliament has thought fit to grant to the company incorporated by the Bill which he has in charge. I am quite sure the feeling of the House is, that no preferential advantage should be given to any one. I may say that, since the discussion on the subject the other day, I have had some communication with Mr. Fleming and some conversation with him about it. I am told that Mr. Fleming has devoted a good deal of time and labor to this matter, and, in so far as I can judge, in a most disinterested manner. If it is necessary that powers should be taken by the Government to incorporate himself and associates in the manner proposed at present, I see no objection to it, the exclusive privilege being eliminated.

**Mr. BLAKE.** I suppose the real truth of the matter is, that the Administration made this arrangement with Mr. Fleming, which would probably have been carried out in all its entirety had it not been affected by this resolution. It is obvious that if Mr. Fleming was now called upon to proceed by Private Bill, he could not get a Private Bill, and I think, with my hon. friend, that he should not be in a worse position than if he petitioned for a Private Bill.

Resolutions reported as amended, and concurred in.

**Mr. LANGEVIN** introduced a Bill founded on said resolutions, which was read the first time.

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

#### AFTER RECESS.

#### THE NORTHERN RAILWAY COMPANY ACT, 1877.

**Mr. McCARTHY** moved that the House resolve itself into Committee of the Whole on Bill (No. 10) to remove doubts as to the true construction of section 12 of "The Northern Railway Act, 1877."

**Mr. BUNTING** moved in amendment:

That the House resolve itself into Committee on this Bill this day six months.

Amendment negatived on the following division:—

#### YEAS:

##### Messieurs

Allison,	Charlton,	Paterson (Brant),
Béchar, d,	Coupal,	Pickard,
Bergin,	Currier,	Robertson (Shelburne),
Bill,	Fleming,	Rogers,
Blake,	Flynn,	Rymal,
Borden,	Gunn,	Scriver,
Boulbee,	Haddow,	Snowball,
Bourassa,	Holton,	Stephenson,
Brown,	Kilvert,	Thompson,
Bunting,	Laurier,	Tilley,
Curpee (Sunbury),	McDonald (Vict., N.S.),	Trow,
Cameron (Huron),	Mackenzie,	Wallace (Norfolk),
Casey,	Mills,	Wright.—41.
Casgrain,	Mongenais,	

#### NAYS:

##### Messieurs

Arkell,	Girouard (Kent),	Manson,
Beauchesne,	Grandbois,	Masson,
Bergeron,	Hackett,	Massue,
Bolduc,	Hay,	Merner,
Bowell,	Hilliard,	Montplaisir,
Brecken,	Hooper,	Mousseau,
Brooks,	Jackson,	Muttart,
Burnham,	Kaulbach,	Patterson (Essex),

Garling,	Kranz,	Plumb,
Cimon,	Landry,	Rinfret,
Colby,	Langevin,	Robertson (Hamilton),
Courzol,	Lantier,	Roulean,
Outhbert,	Little,	Royal,
Daoust,	Longley,	Rykert,
Dawson,	McDonald (Cape Breton),	Schultz,
Desaulniers,	McDonald (Pictou),	Scott,
Desjardins,	Macmillan,	Shaw,
Drew,	McCallum,	Sproule,
Dumont,	McCarthy,	Tasse,
Ferguson,	McConville,	Valin,
Fitzsimmons,	McKay,	Vanasse,
Fortin,	McLennan,	Wallace (York),
Gigault,	McQuade,	White (Cardwell),
Gillies,	McRory,	White (Hastings).—72.

Bill considered in Committee, reported, read the third time and passed.

### THIRD READINGS.

The following Bills were severally considered in Committee, reported, read the third time, and passed:—

Bill (No. 20) respecting the Northern Railway Company of Canada.—(Mr. Boulton.)

Bill (No. 69) respecting "La Banque Ville Marie," (from the Senate).—(Mr. Desjardins.)

Bill (No. 80) to incorporate "The Acadia Steamship Company, limited."—(Mr. Longley.)

### MONTREAL PORTLAND AND BOSTON RAILWAY COMPANY.

House resolved itself into Committee on Bill (No. 53) to amend the Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. Brooks.)

Mr. GIGAULT. I move that the Bill be amended by adding to the second section the following words:—

"The revenues, earnings and all moneys accruing to and received by the Company, in respect of the branch railway, the construction whereof is hereby authorized, shall be chargeable, in the first place, and by priority, with the payment of all claims for land taken for right of way along the said branch railway."

Lost on division.

Mr. BROOKS. I move in amendment that in the third clause the word "revived" be submitted for "continued."

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

### SECOND READINGS.

Bill (No. 85) to incorporate the British and Colonial Insurance Company (from the Senate).—(Mr. Beatty.)

Bill (No. 81) with reference to the Andrew Mercer Ontario Reformatory for females and the Central Prison for the Province of Ontario.—(Mr. McDonald, Pictou.)

### FIRST READINGS.

Bill (No. 96) to amend and consolidate the laws relating to Government Railways (from the Senate).—(Mr. McDonald, Pictou.)

Bill (No. 98) to provide for the extension of the boundaries of the Province of Manitoba (from the Senate).—(Mr. McDonald, Pictou.)

### NATURALIZATION OF ALIENS.

Mr. McDONALD (Pictou), in moving the second reading of Bill (No. 87) respecting the naturalization of aliens, said: The object of the Bill is to amend our laws with respect to the naturalization of aliens in this country. Since Confederation we have been governed in regard to matters affecting the naturalization of aliens in this country by the Act passed in 1868, as amended in some particulars by the Act of 1870, and as regards

Mr. BUNTING.

British Columbia by the Act of 1872. By that Act, three years' residence in Canada conferred upon aliens, conforming to the necessary forms, the rights of British subjects in Canada. The privileges thus conferred were confined to Canada alone, and did not confer upon those availing themselves of our laws, the rights and privileges of British subjects out of Canada, and as if they had become naturalized under the Imperial Act. The House will observe that the Imperial Act of 1870 conferred the right of naturalization of aliens upon British subjects, but it has not been applicable heretofore in Canada, so as to enable persons naturalized under our laws to avail themselves of that Act. The Empire of Great Britain has entered into conventions by treaty with various foreign nations with the view of enabling it by mutual consent of the respective parties to the several treaties to confer, with the consent of the country of origin, the rights of British subjects upon those coming from other countries. The principal object of the Bill is to place the law upon such a footing in this country that, with the consent of the Imperial authorities, who will, I am given to believe, upon the passage of this law, take such measures to obtain such Imperial legislation that parties becoming naturalized in Canada will possess all the rights, privileges and immunities which belong to British subjects naturalized under the Imperial Statute. This is very important, and will become still more important to this country in view of the large immigration which we anticipate in the immediate future from the various countries of Europe, particularly from that country from which we hope to receive a large accession of strength, namely, from Germany, from which we have now so many industrious and intelligent citizens now residing among us. The Imperial Government have, moreover, placed themselves in communication with the German Government, with a view by treaty of enabling German citizens leaving Germany to settle in this country with the consent of their own Government, and to obtain the rights of British subjects in this country. I need not say to the House that without consent, while we can confer the rights of naturalization upon foreigners, we can only do it in so far as those rights will not operate in contravention of their natural allegiance in the country of their birth. And it is only by the mode which I have indicated, by mutual treaty and convention between the respective countries, and arrangements by the necessary legislation, that the important privilege can be obtained for foreigners coming to this country to settle here. This Bill endeavors to carry out this object we have in view very fully. We still retain the period of three years as the time of residence in this country, which will enable a party not heretofore naturalized to naturalize himself in Canada. I have reason to believe that, with the consent of the Imperial authorities that naturalization in Canada will hereafter confer very much higher rights and privileges upon a naturalized citizen than heretofore. Heretofore those rights and privileges operated only in Canada. But hereafter they will, from the necessary legislation in England, confer the rights of British subjects in every part of the Empire. It then provides that a native of any foreign country, residing in Canada for the length of time which the laws of that country prescribe as the period during which it will be necessary for any of its subjects to reside in a foreign country, before becoming entitled to be free from his natural allegiance, shall be naturalized, and shall have obtained such rights and privileges as in the previous clause are conferred irrespective of that convention. The Bill is divided into several sections. There is very little new in it. It is framed very much on the model of the Imperial Act with such modifications as suit the circumstances of this country, also embracing such portions of our own Act heretofore in operation as the circumstances of the case seem to require. The first division of the Bill relates to the status of aliens before naturaliza-

tion, referring to the position which they may obtain in the country without becoming citizens. That is determined in section 4, in which they are allowed to hold real and personal property, with the exception that it does not qualify them for any office, or for any municipal, parliamentary, or other franchise, or to become owners of British shipping. Then there is a declaration of previous naturalization. Any British subject from Canada having gone abroad and become naturalized in a foreign state, ceases by virtue of this law to be a British subject. Provision is, however, made in subsequent clauses of the Act, by which such British subject, desiring to rehabilitate himself and be restored in his allegiance, shall have the power of doing so. Section 17 enacts:

"An alien to whom a certificate of naturalization is granted, shall within Canada be entitled to all political and other rights, powers and privileges, and be subject to all obligations to which a natural-born British subject is entitled or subject within Canada, with this qualification, that he shall not, when within the limits of the foreign State of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject unless he has ceased to be a subject of that State in pursuance of the laws thereof, or in pursuance of a treaty or convention to that effect."

X In other words, that, until it is agreed by convention between Great Britain and the particular State of which the party has been a subject, naturalization in this country does not obliterate his natural allegiance to the country of his birth. Section 24 enacts that a three years' residence in Canada will entitle a party to naturalization; and section 26 and following sections refer to the status of married women and infant children—women married to foreigners, and the children of natural born subjects, born in foreign parts; and sections 32 to the end, relate principally to the procedure necessary to obtain and confer upon parties the privileges intended in the Act.

Mr. BLAKE. We have now been a little more than three months in Session, and this Bill was distributed some hours ago, and I am not ashamed to say I have not read it. Other duties have engaged me as well as other hon. members. I wonder how many of us have read this Bill since it was distributed, and yet the hon. gentleman is moving its second reading. We have arrived—not at the slaughter of the innocents, but at the birth, out of due time, of measures framed under the rule of hon. gentlemen opposite. Legislation, under these circumstances, is a farce. To say that any intelligent opinion can be passed on this measure, under these circumstances, and at this period of our deliberations, is preposterous. I do not intend to attempt discussing to day the provisions of the measure. The hon. gentleman's explanations indicated some provisions in the Bill of very high importance. But I do not propose to attempt to comment upon them with the period for information allotted to me to familiarize myself with them. I was, however, struck by one statement from the hon. gentleman. He is proposing to enact in this Parliament—and I call the special attention to it, of the members from Quebec, who appear to be particularly jealous of provincial rights—a law declaring who shall be capable of holding real property in the various Provinces. It does seem to me that that is an arrogation of power beyond our competence. We may naturalize aliens and give them all the rights of British subjects, and of native born subjects of Canada; but to say that we can declare who shall be competent and who not competent to hold or transfer real property in the various Provinces, is to say that we have within our jurisdiction the question of civil rights.

Mr. MILLS. The hon. gentleman has introduced this Bill at a very late period. It has been the policy of this Administration, as it was the policy of the last Government of which the present Premier was Premier, to introduce all the measures of the Government at a period of the Session

when it must be impossible to give them due consideration. This is not legislation by Parliament. It is legislation by the Administration. Parliament is simply called together to register what is done by the Government, and pass the Estimates. It is impossible to have any measure well considered at this period of the Session when members on both sides are anxious that the work of Parliament should be brought to an early close; when Committees are meeting at an early period in the morning and last nearly to the hour at which the House assembles, and when the sittings of Parliament are often protracted to two o'clock in the morning. But I wish to call the attention of Parliament to the fact that in this measure the Government are assuming that our naturalization of aliens has no effect beyond the marine league. I deny that proposition altogether. We are authorized to legislate in regard to a variety of matters, relating to the welfare and good government of the people in which our legislation has effect beyond the marine league. There is, for example, the subject of marriage and divorce. Does the hon. gentleman mean to say that persons married under the laws of this country, would be released from the marriage bond if they went beyond the marine league or into another country? I say a more preposterous position could not be taken. When hon. gentlemen were in power before, they permitted a Naturalization Bill, which had been passed through the Imperial Parliament, to be extended to the colonies without calling the attention of the Imperial Government to the fact that we were already authorized to deal completely with this subject. Take, again, the subject of contract. Hon. gentlemen know that a contract made under the laws of Canada between two parties could be enforced in a foreign country; because any law affecting the personal status or interests of a person operates wherever he may go, either by international law or by treaty regulations. Let me call the attention of the House to the 7th sub-section of the 91st section of the British North America Act, which confers the power to pass laws upon naval service and defence. But under such a restricted view of our powers as hon. gentlemen are proceeding upon in this Bill, we may fit out a vessel as a ship of war; we might grant a commission to some person and order the commander to go, say to Hudson's Bay and cruise, but so soon as she had passed the marine league she would be a pirate on the high seas. I contend that we have power to legislate with regard to the naturalization of aliens, and that it is our business to press upon the attention of the Imperial Government the propriety of recognizing the naturalization of aliens which is conferred by the provision of our law. My hon. friend the member for West Durham (Mr. Blake) called the attention of the House to the 4th section of the Bill which proposes to deal not with the subject of the naturalization of aliens, but with the right of aliens to hold real estate. That does touch the subject of the naturalization of aliens, but has reference to the capacity of aliens in this country with reference to their property and civil rights. Our Provinces have the power to legislate upon the subject of the property and civil rights of those who are residents of the Provinces, whether they are British subjects or aliens. We have nothing to do with the subject of the status of aliens in Canada; and it will be of special consequence to the hon. members from the Province of Quebec to see that this clause of the Bill does not become law; for if they allow it to pass they will give up those rights and interests which are secured to them by the British North America Act, and which were inserted in the law, perhaps, more in their interest than in any other Province.

Mr. PLUMB. The hon. gentleman has based a long argument on the statement that a Bill of an important character has been introduced within a few days of the probable close of the Session. That measure was introduced

in the Senate five or six weeks ago; it was passed by the Senate, and sent down to this House, I think, about three or four weeks ago.

Mr. BLAKE. It came down on the 9th of March.

Mr. PLUMB. But it was distributed in this House at that time. But all Senate Bills are sent to hon. members, and those who take an interest in the proceedings of Parliament read those Bills to find out what is going on in the other House. This Bill had its first reading in the Senate on the 25th of January, and its second reading on the 1st of February. My hon. friend from West Durham (Mr. Blake), who has objected to the lateness of the period at which the Bill was introduced, made himself sufficiently acquainted with the details of a petroleum Bill to-day, notwithstanding his multifarious duties, to make a speech of one hour's duration, and yet he says he has not time to become seized of the provisions of this Bill. Perhaps the proverb that "where there's a will there's a way" would not be inappropriate in the present case. I am surprised that such a discussion as has been indulged in should have come up at so late a period of the Session. I regret that my hon. friend from Bothwell (Mr. Mills) should overload the subject before the House with a long discussion relating to the marriage laws and other matters equally irrelevant. The hon. gentleman, doubtless, knows perfectly well that there was great difficulty in passing any naturalization laws which would protect the citizens of the German Confederation. He knows that, according to the laws of that country, it was almost impossible to prevent great difficulty happening to natives of those states who become citizens either of this country or of the neighboring Republic. He knows that in some instances gentlemen of position, who held property in the United States, on returning to the land of their birth, were there seized and compelled to do military service in that country. Those arrangements have been made for the protection of those who were properly naturalized under the regulations agreed upon between the two Governments. If the hon. member had examined this Bill, as probably he would have examined another which he was desirous of putting through, he would within one hour have satisfied himself of its provisions, and would probably have been willing, as he is always able, to discuss those provisions. The leader of the Opposition could, with that grasp of mind which always characterizes him, have mastered all its complications; and I think even a layman could understand them with very little study. I trust that the discussion upon this Bill will be proceeded with notwithstanding the objections made by the hon. member for West Durham. I know it is of great importance to this country. I know there are gentlemen in this House who have paid the greatest attention to it, and to whom we are greatly indebted for the intelligent interest they have taken in this measure. I trust that none of the objections which have been urged against that law will disappoint those gentlemen in doing for their late countrymen, and those who will be their present countrymen, what they have endeavored to do in having this Bill prepared and brought down to Parliament.

Mr. McDONALD (Pictou). I was much surprised indeed to hear the legal objection of my hon. friend the leader of the Opposition. I do not think there is anything whatever in the objection that the Bill from the Senate was not distributed until a day or two ago.

Mr. BLAKE. To-day.

Mr. McDONALD. I think my hon. friend is mistaken. I think it was yesterday or the day before. At any rate, I admit that the Bill from the Senate has not been distributed for any length of time, and the complaint would not be unreasonable, were we to suppose that my hon. friend did not see that Bill until it came down here. But it was

Mr. PLUMB.

printed almost, if not quite, a month ago, and distributed to every member in this House. I regret the delay in the Senate made it impossible to take up the question earlier; but it is a matter of too much importance, in view of transpiring events, to allow a mere technical objection to stand in the way, if the Bill on its merits should be such as to demand the attention and consideration of this House. Now, with reference to the legal objection taken by my hon. friend, I frankly admit I was surprised to hear it. I need not say that I, in common with every man that knows him, have the highest respect for any opinion he may give on any question of jurisprudence, and therefore it is that I am the more surprised to hear him give such an opinion on a question, which to me, and to high legal authorities elsewhere, appears so plain and distinct. My hon. friend says the fourth clause of the Bill interferes with that clause of the Union Act relating to property and civil rights. Now, I take the liberty entirely to dissent from that view. The clause, neither in its bearing, neither in its working, neither in its results in any manner whatever, nor in its political or legal relations, can bear that construction. I suppose my hon. friend will not deny that under the British North America Act, all legislation of whatever kind that is competent to any Parliament in Canada, is within the competence of this Parliament, Aliens and naturalization are expressly given to this Legislature, and all questions relating to those two subjects are naturally included. I need not say naturally, because that very important question has been decided by the highest authority in the country, that when any particular subject is within the competence of this House, and this House legislates upon that subject, such as civil rights and property connected with that subject, and which is involved in the legislation necessary to effect the object of parliamentary relation, that subject must, as a matter of course, follow the main and principal subject itself, and become the peculiar legislation of Parliament. That appears to me to be the principal so thoroughly well settled by the Supreme Court, so thoroughly recognized by every legal man, that I do not think I transgress in saying that I was surprised to see my hon. friend take that position. But I need not, even to sustain the legality and constitutionality of that fourth clause, resort to that principle at all. The clause did not pretend to affect the principle of civil rights. My hon. friend will see there is a vast distinction between giving mere power to an alien to hold property and to regulate and control property in the hands of an alien. I need only illustrate the principle by asking what would be the result in this country at the present moment, and continuously hereafter, if that was sound law? Why, we would have the curious spectacle in a free country of intelligent and energetic people coming from other countries and being unable to hold in this country a single dollar's worth of property, either personal or real, until they had, by a residence of three or five years, entitled themselves to become naturalized British subjects.

Mr. BLAKE. Not at all.

Mr. McDONALD. I beg my hon. friend's pardon. The proposition is an insult to the intelligence of the country; it would be an insult to the common sense of every legal mind. Therefore, either on that ground, the proposition could not be sustained, for, as I stated before, the principle of the Bill flows naturally from the section giving us control over aliens and naturalization. Let me take the Province of Quebec, to the representations of which my hon. friend appeals. The clause of the Bill says that a citizen of the United States residing in Montreal, and doing business there, who has not become, or who has not had time to become, naturalized, but who is living in assumed waiting for the period to expire when he may become naturalized, and appears to be, and during

that period is doing business, or desirous to buy a house, he may do so, but according to the hon. member for West-Durham, he cannot hold it, and obtains no title on paying his money.

Mr. BLAKE. Not at all.

Mr. McDONALD. He desires to do business; the money he accumulates and stock he has in his house are not his, and he cannot hold it under the law.

Mr. BLAKE. Not so.

Mr. McDONALD. Then I do not understand the proposition.

Mr. BLAKE. That is quite likely.

Mr. McDONALD. But I think the House will agree with me that when my hon. friend declared that we had not power or authority constitutionally to confer the right upon an alien to hold real or personal property, we cannot understand the result of that proposition if it does not lead directly to the consequence which I have stated. That is, at any rate, my humble opinion, but I dare say my hon. friend could explain the proposition in a manner that would enable my obtuse mind to understand it. Then, this clause 4 proposes only, and entirely within the power and competence of Parliament, to declare that aliens shall be able to hold real and personal property. That does not authorize this Parliament, nor does this Parliament seek to determine in what form or in what manner that property shall be held. That is governed by the local laws; but the rights he shall acquire, in relation to property, must be governed by the way in which he shall sell or buy. He is entitled to hold it, transmit it, or sell it, just as any other resident in the Province of Quebec, under and by virtue of the laws of the Province of Quebec, affecting real and personal property, and like any other resident, he is subject to the laws regarding the civil rights of the residents of that Province. Therefore, I contend that the proposition contained in that clause is perfectly constitutional. My hon. friend from Bothwell (Mr. Mills) says that the 4th clause, that giving power to aliens to hold property, has nothing to do with naturalization. Well, I dare say a naturalization Bill would be perfectly valid without it, but I do think a naturalization Bill which would debar aliens during the period of time which the Bill declares they must wait before becoming entitled to naturalization, from the right to hold or acquire any property, would be an anomaly in a civilized country.

Mr. MILLS. Supposing a foreigner comes out here and says: "I do not want to become naturalized." This Act only authorizes us to deal with the naturalization of aliens. How can you naturalize one who does not want to become a citizen?

Mr. McDONALD. My hon. friend has not read the Bill. It is not one for the naturalization of aliens, but it is one respecting naturalization and aliens, so that it embraces in the fullest manner all the legislation required to fulfil the object which this Act has in view. We are also told that the Provinces forming the Dominion had various provisions in reference to the naturalization of aliens at the time of the Union. The law of 1868 was for the purpose of simplifying these various laws, and enabling persons residing in the Dominion to obtain naturalization in a simpler form, while reserving any rights they may have acquired before that time in the several Provinces. But so far as I am aware, in each and all of the Provinces an alien had a right to hold property. The English Naturalization Act, from which this is copied, begins with the declaration that aliens residing in the country shall be enabled, subject to conditions stated in the clause, to hold real and personal property. I have only to repeat to some extent the observation I made when I rose—that if the view of the hon. gentleman were correct, we should have the curious anomaly

of inviting people from foreign countries to come and reside in this country, while at the same time declaring to them that for three or five years after their arrival they would be worse than strangers in a strange land, entirely unable and incompetent to hold property which, by their industry and intelligence, they might acquire.

Mr. LAURIER. So far as I understand the hon. Minister of Justice, he held that aliens in the Province of Quebec could not acquire or hold real estate or property there. The 25th article of the civil code of the Province of Quebec, says:

"Aliens have a right to acquire and transmit, by gratuitous or onerous title, as well as by succession or by will, all moveable and immoveable property in Lower Canada, in the same manner as British-born or naturalized subjects."

This is the law which existed in the Province of Quebec at the time of Confederation, and which exists at the present time. The clause in the hon. gentleman's Bill is clearly *ultra vires*.

Bill read the second time.

#### SUPPLY.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of Supply.

Mr. BOURASSA. Mr. Speaker, a few days ago we witnessed the Government granting protection to the manufacture of beet-root sugar, by exempting it from taxes for a certain number of years, and I thought that that measure was an advantage, not only to the refiner, but also to the agricultural class. I hope that the hon. member will not rest contented with that, but that he will go a step further in the right direction, viz, towards favoring that class, which has been somewhat neglected for a number of years. With that object I move the following amendment:

To leave out all the words after "that," and insert the following instead thereof: "It be resolved, That whereas more than nine millions of pounds of unmanufactured tobacco are imported in each year, and whereas that plant might be advantageously cultivated in this country, this House is of opinion that the cultivation thereof should be encouraged by the abolition of the excise duty levied upon tobacco grown in Canada."

Mr. LANGEVIN. Mr. Speaker, the hon. member who moves this amendment seeks assuredly to make political capital during the present elections, or during those that are to take place in a couple of years. The hon. member is not going to succeed in his attempt, because the people understand that it is necessary to have a revenue to meet the expenditure and to carry out the various public works demanded throughout the country. Moreover, the hon. member must not forget to tell the electors, at the next elections, that there is an excise duty on tobacco cultivated in this country, that there is a far higher duty on imported tobacco, and that consequently the policy adopted by the Government with regard to Canadian tobacco is the same as that adopted to foster other manufactures of the country. For instance, in the same manner as we encourage the manufacture of cotton in this country by imposing a heavy duty on imported cottons, and by admitting raw cotton free; in the same way as we encourage the refining of sugar in this country; in the same way do we encourage the cultivation of Canadian tobacco, in this country, by imposing a far higher duty on foreign tobacco. The hon. member must be aware that, since duties have thus been levied, the cultivation of tobacco has assumed far greater proportions throughout the country than formerly, and, moreover, our farmers may cultivate tobacco for their private use, without paying any duty at all. But as soon as tobacco is cultivated for the purpose of sale, so soon, as in other cases, the Government, which requires a revenue, must levy an Excise duty; but the Canadian grower knows full well, that when he goes into the market with his

tobacco, he has in his favor a differential duty, which presses far more heavily on foreign tobacco, and which enables him to get a better price for his own tobacco. The House consequently will not support the motion of the hon. member, because, in doing so, the hon. member would deprive the Treasury of a revenue of some \$200,000 to \$400,000, and it would be difficult to say by means of what other tax that amount could be brought into the Treasury. The hon. member must not expect that his motion will be supported; moreover, he knows full well that had he wished to succeed with a motion of that kind, he should have brought it forward as a separate motion, and not as a motion of non-confidence in the Government.

Mr. LAURIER. Mr. Speaker, I remember that not so many years ago, three or four at most, the hon. members, who now sit on the opposite side of the House, were of opinion that Canadian soil was peculiarly adapted to the cultivation of tobacco, and that if it was true that the soil was adapted to the cultivation of tobacco, the logical consequence of this state of things was that Canadian tobacco should be free from all Excise duty, and that its cultivation should be promoted by all possible means. At that time, I, for my part, would not have been prepared to admit that pretention; but facts compel me to admit that the experiments recently made have satisfactorily established that the soil of Lower Canada and its climate are evidently suited to the cultivation of tobacco. I see by the last report brought before the House, that in the district of Joliette, for example, a district comprising the counties of L'Assomption and Joliette, the cultivation of tobacco has been considerably developed. A grower told me that an objection formerly raised was that the severity of the climate of Lower Canada did not allow of the tobacco maturing, but it is now an established fact that vegetation is so rapid owing to the intense heat of the summer months, that tobacco ripens fully; consequently, if such is the case Lower Canada is as well adapted to the cultivation of tobacco as Connecticut itself; and if such is the case, the hon. members on the opposite side of the House, in order to be logical, must now support the motion of the hon. member for St. Johns (Mr. Bourassa), for that motion says what they ever said when they were on the Opposition side; and, as the conditions have not changed, they should vote now as they voted then. When last this motion came up before the House, last year, I, for my own part, said that I did not think that the cultivation of tobacco was suited to the climate of Lower Canada, but recent experiences show that it is so suited; and if at the time I did not think it was, I was logical in voting against that motion, but as I now think it is, it would be illogical for me to vote as I did last year, and unless my hon. friends on the other side of the House are convinced that the soil of Lower Canada is not adapted to the cultivation of tobacco, it would be illogical for them to vote against the present motion.

Mr. PLUMB. The hon. gentleman who has just spoken on this resolution has probably forgotten his record of 1878.

Mr. LAURIER. I have just spoken of it.

Mr. PLUMB. The hon. gentleman who is now defending this motion made use of language which I am about to quote. He was then Minister of Inland Revenue, and we remember well that the Finance Minister of that day appealed to the sympathies of each side of the House, not to allow their sympathies to be worked upon to support any proposition which would have the effect of taking off the excise duty on home-grown tobacco, as he said, to the extent of \$700,000 or \$800,000. The hon. Finance Minister and the hon. Minister of Internal Revenue of that day were not then in accord, and could not possibly have had any communication with each other on the subject, for while the hon. Finance Minister admitted,

Mr. LANGEVIN.

by implication, that the home grown tobacco was an important product whose unrestricted growth would affect the revenue by \$700,000 or \$800,000, my hon. friend said:—

"The object of the motion was to collect a revenue from the importation of tobacco, and to relieve home-grown tobacco from duty. His hon. friend had said, in the course of his argument, that they could consider the interests of the agricultural class from the farmer's point of view; but the first question that presented itself was this: Was this country adapted to the cultivation of tobacco? He observed that his hon. friend said that if this Excise duty was abolished for a certain number of years, the production of Canadian tobacco would assume such proportions as to permit tobacco to be exported instead of being imported, as was now the case. But was this possible? Was it possible to maintain seriously, that Canada could ever produce enough of this article to enable it to be exported? It was well known that, above all in the Province of Quebec, and in the Maritime Provinces, and also in Ontario, we could not produce tobacco which could enter into successful competition with the foreign-grown article. We produced an inferior quality of tobacco, which was used for local purposes. The agricultural class was frugal and economical, and it produced tobacco for its own consumption; but, on the other hand, it was equally certain that it was perfectly impossible to raise, in Canada, tobacco which could enter into successful competition with the foreign article, for the simple reason that we had not the climatic conditions necessary to its growth. The Province of Quebec, above all, and all the Provinces east of Quebec, could not raise tobacco on a considerable scale, for the simple reason that their climatic conditions were not proper to the growth of this plant, which was excessively sensible to such conditions. Again, our seasons were too short to permit its successful cultivation; Spring was too late, and autumn came too soon; and, under the best possible climatic conditions, the tobacco which we cultivated could never attain maturity. The farmers were obliged to take it in before it arrived at perfect maturity, and then, very frequently in Lower Canada, they were visited with frosts during the warmest months of summer, even in July and August, and it was known that tobacco was extremely sensible to changes of temperature, and of the weather; and, under these circumstances, as an article of commerce, it lost much of its value, suffering in flavour and quality, and failing to command the price which it would otherwise secure. Owing to these considerations, the argument of his hon. friend lost much of its force. The object of the motion was to encourage the cultivation of tobacco in Canada, though of all the plants that Lower Canada could cultivate, the last thing which they should cultivate was tobacco, which could not become for them an article of export."

Mr. LAURIER. I have since, from further experience of the question, changed that opinion.

Mr. PLUMB. Tho hon. gentleman could hardly have changed his views so suddenly. Have the climatic conditions undergone a change? *Caelum non animum mutant qui trans mare currunt*. Hon. gentlemen change their minds, on the same principle, when they cross the floor of the House. The hon. gentleman now, in the face of his past record, makes an appeal in support of a motion which, from his own point of view, I may characterize as a claptrap resolution.

Mr. LANDRY. Mr. Speaker, I was not surprised to hear the assertions of the hon. member for Quebec East (Mr. Laurier). He has more than once accustomed us to see him burn one day what he had worshipped on the previous one. That is what he is doing to-night, when he burns not only what he worshipped last year, but what he worshipped all the time he was in the Mackenzie Government. It is not necessary for me to go very far back to find in the speeches of the hon. member assertions that condemn him to-day in the most formal manner. I have merely to oppose his last year's to his this year's assertions. What does the hon. member say to-day? He asks that the duty on tobacco be abolished, because he has discovered that the soil of our Province is adapted to its cultivation. This is what he says: "My opinion has changed, because to-day I have before me a report, according to which it is demonstrated that tobacco can easily be cultivated in our country." But, alluding to what he said when he was a Minister, the hon. member for Quebec East said last year, and his words are most important, as they completely condemn the position taken to-day by my hon. friend:

"I was of opinion at that time, and I am still of opinion, that if there is an article which should be subject to a tax, it is certainly tobacco. There cannot be any doubt on that point. Since the Government is in need of revenue, it is evidently better to tax articles of luxury, such as tobacco, than to tax the necessaries of life."

Such was the opinion of the hon. member for Quebec East last year. The hon. member must know that a Government, to maintain itself, must necessarily levy taxes. In that case, I take up his argument and I say with him: if there are articles which are to be subjected to taxes, they certainly are the articles of luxury, and if there is an article pertaining to that category it is assuredly tobacco. I think, Mr. Speaker, that the fears expressed by the hon. member will vanish into smoke. He says that in voting against that motion we are going to change our policy, and that we are going to vote in opposition to our former utterances. He is mistaken; in those days, when the Liberal party was in power, there was a tax of ten cents on tobacco, and we always asked that that tax should be reduced; perhaps did we ask that it should be completely taken off.

Mr. BOURASSA. Perhaps the hon. member will allow me to tell him that they did not ask for the reduction, but for the abolition of the tax.

Mr. LANDRY. That is just what I was saying. It seems to me that if we were asking for the abolition, we were necessarily wishing for a reduction, for the lesser must be contained in the greater. When the present Administration came into power, it met the wishes of the people by reducing by more than one-half the duties levied on tobacco. Since it is necessary that the people should pay taxes, in order that the Government may meet an indispensable expenditure, I agree with the hon. member for Quebec East that articles of luxury are to be taxed in preference to all others, and for that reason I think we should vote against the amendment, because it simply seeks to take off an article of luxury a necessary tax, which it would be then necessary to levy on other articles, perhaps necessities of life.

Mr. CASGRAIN. Mr. Speaker, I heard the hon. member for Niagara (Mr. Plumb) say but a moment ago that one's ideas change when one crosses the seas. I think that this year, he too will change his opinions. If I refer to a motion made in this House on the 23rd April, 1878, and which is almost identical with the present one, the only difference to be found is that the quantity of tobacco is specified in the motion. I see that the Government intends giving a vote entirely different to the one it gave on that occasion; and, on referring to the proceedings of the House at that date, I see that the hon. member for Niagara (Mr. Plumb) is one of those who voted in favor of the motion; I notice also that at the time, you yourself, Mr. Speaker, were in favor of that motion and that you seconded it; I see that the hon. Minister of Customs (Mr. Bowell) likewise voted in its favor; I also see that the hon. member for Hochelaga (Mr. Desjardins) voted in the same way; I see that the then hon. member for Kingston (Sir John A. Macdonald) voted likewise; I see also that the hon. Minister of Railways (Sir Charles Tupper) voted in the same way. I was about to forget the hon. Minister of Public Works (Mr. Langevin) who certainly does not deserve to be forgotten; he also voted likewise. Now, if we refer to the speeches which were delivered at the time the motion was made, we shall see that one defended then what one is opposing at the present time. If ever there was a favorable time to reduce this tax, it is now; for if we are to accept the data of the hon. Minister of Finance, there is to be a surplus at the end of the year; now, as the cultivation of tobacco is increasing considerably in the Province of Quebec, it would be merely compensating the grower of tobacco. Under the circumstances, I intend voting against the motion.

Mr. VALIN. Would the hon. member state how he voted at the time?

Mr. CASGRAIN. I voted in favor of the motion.

Mr. BECHARD. Mr. Speaker, the hon. Minister of Public Works (Mr. Langevin) in answering my hon. friend

the member for St. John's (Mr. Bourassa) accused him of making that motion in order to acquire political capital. I am convinced that such is not the intention of my hon. friend; in presenting this motion, he merely adheres to the policy which he has ever followed whenever that question came up before Parliament; and in seconding the motion I am but following the policy I have ever followed. I remember when a duty was first levied on Canadian tobacco; it was during the First Parliament of the First Session of 1867. I was the first to present an amendment to abolish that duty. I looked upon the production of tobacco as a great agricultural resource, which was rapidly developing in our country, and which deserved to be encouraged. I have just said that the accusation of the hon. Minister of Public Works is without foundation. Was the object of his friend, who, when he was in Opposition, made a similar motion, simply that of making political capital? Did the hon. Minister of Public Works, when voting in favor of that motion, seek for political capital? Certainly not. Well, then, I maintain that this accusation can no more be brought against my hon. friend for St. John (Mr. Bourassa) than against them, when they were in Opposition. I must, nevertheless, say, Mr. Speaker, that in seconding the motion of my hon. friend no sentiment of administration for any Protectionist policy impels me to do so, but since we have a system tending to protect all classes of society, I think it would only be fair and reasonable to protect the farmers of Canada, as long as such a tariff is in existence, and inasmuch as it can be done. Tobacco is one of the few articles, the cultivation whereof, may, in my opinion be protected, because it is an article that we cannot produce in a sufficiently large quantity to meet the consumption, and consequently we are obliged to import it. If you levy Excise duties on tobacco grown in Canada, and if you levy duties on imported tobacco in the leaf, as a result the price of that article will increase and you will thereby be giving the producer of tobacco in Canada the advantage of selling his tobacco at a higher price in proportion to the duties levied on that article.

Mr. LANDRY. I will call the hon. member's attention to the fact that there are in the country considerable differential duties.

Mr. BECHARD. The motion of my hon. friend merely asks that more protection should be given to the Canadian farmer. It has been established that the excise duties in force to day discourage the farmers from growing tobacco, whilst the levying of Customs' duties would stimulate the production of Canadian tobacco.

Mr. BERGERON. It is quite natural that the hon. member for St. John should present this motion. At every Session of Parliament it is a regular occurrence that an hon. gentleman should rise and move that no tax be levied on Canadian grown tobacco. If I remember aright, the first tax imposed on Canadian tobacco, was imposed by a Liberal Government.

Mr. BÉCHARD. No; it was imposed in 1867.

Mr. BERGERON. In 1867 a tax of 6 cents was imposed by the Conservative party, and it was a continuance of the tax which had been imposed by the Liberal party in 1863. When the Liberals came into power again, they raised the tax to 10 cents. On the 23rd of April, 1878, a motion was made by the hon. member for Beauce (Mr. Bolduc) to abolish the duty, and that motion was supported by the hon. member for St. John, who, at least, is acting consistently in the matter. This cannot be said of the hon. member for Quebec East (Mr. Laurier) who, though he now contends there should be no tax on Canadian tobacco, in 1878, according to the Journals of the House, voted against the motion of the hon. member for Beauce, to take off that duty, and thus voted in favor of keeping it, as it then stood,

at 10 cents per pound. Among the nays were also the names of Messrs. Malouin, then member for Quebec East, Huntington, Jetté, Laflamme—another patriotic French-Canadian—and Scriver.

Mr. ROSS. Read the other side.

Mr. BERGERON. That has already been read by the hon. member for L'Islet in French. I do not suppose that any hon. member will say there should not be some tax on tobacco. It is but natural, when taxes have to be imposed, that the people should pay a tax on that which is of use only for their pleasure. What hon. gentlemen on this side, when in Opposition, asked for was that the tax should not be as high as 10 cents; and when the Conservative party came into power in 1878, they reduced the tax to 4 cents, and provided that the Canadian farmer could smoke his own tobacco without paying duty, as 30 pounds were allowed by law to every family for home consumption. Only those who made a trade of it had to pay 4 cents a pound duty; and protection was given to the native plant by the imposition of a heavy duty on foreign tobacco. I am not going to vote for the motion of the hon. member for St. John.

Mr. MILLS. With regard to this particular tax, I suppose hon. gentlemen opposite, according to their view, will say it is on the farmers. They have contended that a tax imposed on a particular article is paid by the producer, and as the farmer is the producer of the tobacco, which bears this tax, it is he who pays it. So far as I am personally concerned, if the Government had not interfered with the freedom of sale, I would have no objection to a moderate tax. What has particularly destroyed this branch of industry in the West has been the restriction imposed on the sale. I wish to call the attention of the House to the very different manner in which they deal with the farming population compared with that in which they deal with the manufacturers. The ordinary manufacturer is allowed to bring in his raw material free of duty, and a very serious tax is imposed on every article that comes into competition with his industry. But with the farming population a different rule is adopted. The hon. gentlemen are not satisfied with letting them alone, but insist on taxing the product of their industry, and when a motion is proposed not to protect them, not to deal with them in the way in which cotton manufacturers and sugar refiners are dealt with, but simply to let them alone, and not impose on them burdens which are not imposed on other portions of the community, these hon. gentlemen oppose that motion, and then the hon. gentleman proposed that farmers should pay the Excise duty on the products of the farm.

Mr. PLUMB. You added 10 per cent.

Mr. MILLS. But hon. gentlemen adopted a different policy. They adopted a policy of Protection which serves to protect certain industries of the country, while they have taxed others. If they had allowed the farmer to stand on a footing of equality, they would not only have relieved him from all taxation, but would have given him a bounty to encourage him in his agricultural pursuits. Hon. gentlemen opposite have not done that. The hon. member for Niagara (Mr. Plumb) stands up and defends a special tax upon the products of the farm, while he is not only ready to relieve other industries of the country from taxation, but he also proposes to give them a bounty. I propose in this matter, while the farmer is being burdened with a view to encourage other branches of industry, to vote for the repeal of a tax which imposes special burdens on his own.

Amendment negatived on the following division:—

YEAS :  
Messieurs

Béchar, Bourassa,

Coupal, Dumont,

Mills, Patterson (Essex),

Casey, Casgrain,

Geoffrion, Laurier,

Rinfret.—11.

NAYS :  
Messieurs

Allison, Anglin, Arkell, Bain, Bannerman, Beauchesne, Bergeron, Bergin, Bill, Blake, Bolduc, Boutbee, Bowell, Brecken, Brooks, Bunting, Burnham, Burpee (St. John), Cameron (Victoria), Carling, Caron, Cartwright, Charlton, Cimon, Cockburn (Muskoka), Colby, Costigan, Coughlin, Coursol, Cuthbert, Daoust, Dawson, Desaulniers, Desjardins, Domville, Doull, Drew, Elliott, Farrow, Fitzsimmons, Fleming, Fulton, Gigault, Gillies,

Girouard (Kent), Grandbois, Hackett, Haddow, Haggart, Hay, Hesson, Hilliard, Halton, Hooper, Hurteau, Ives, Jackson, Jones, Kilvert, Kirkpatrick, Kranz, Landry, Lane, Langevin, Lantier, Little, Longley, Macdonald (Sir John), McDonald (Cape Breton), McDonald (Pictou), Macdonell (Lanark), Mackenzie, Macmillan, McCallum, McCarthy, McConville, McCuaig, McDougall, McGreevy, McKay, McLennan, McLeod, McQuade, McRory, Manson, Masson, Massue, Merner,

Mongenais, Montplaisir, Mousseau, Muttart, O'Connor, Orton, Ogden, Orton, Paterson (Brant), Pickard, Platt, Plumb, Pope (Compton), Poupore, Richey, Robertson (Shelburne), Ross (Middlesex), Rouleau, Routhier, Royal, Ryan (Montreal), Rykert, Rymal, Schultz, Scott, Scriver, Shaw, Snowball, Sproule, Stephenson, Sutherland, Tassé, Tilley, Trow, Valin, Vanasse, Wade, Wallace (Norfolk), Wallace (York), Wheler, White (Cardwell), White (Hastings), Williams, Wright.—131.

The House then resolved itself into Committee of Supply.

158. Indians, Ontario and Quebec..... \$26,800 00

In reply to Sir RICHARD J. CARTWRIGHT,

Sir JOHN A. MACDONALD said the Robinson treaty remained in the same position as when the hon. member left office.

Mr. DAWSON. Has any arrangement been arrived at with the Ontario Government for the payment of amounts due to the Indians for the Lake Superior lands, because the payment to the Indians was really a lien on the lands, and it is very important to have the principle established now in view of the disputed territory, for if it falls to Ontario or any part of it that Province should certainly pay the Indians whose annuities are to all interests and purposes a lien on the land which they relinquished.

Mr. MACKENZIE. This money was paid to the Indians for the extinguishment of their title to the lands, and if Ontario reaps the benefit it is bound to pay the money.

Sir JOHN A. MACDONALD. No doubt.

Mr. MACKENZIE. Not only what has been voted this year, but what has been voted from the first,—that would naturally have to come to the Dominion so soon as the boundary question is settled.

Mr. MILLS. There are large tracts of territory near Lake St. John, in Quebec, which have never been surrendered by the Indians, but from which the timber has been cut. Has the First Minister taken any action on this subject, or any correspondence with the Quebec Government?

Sir JOHN A. MACDONALD. As regards the timber from the Quebec lands, that question has never been raised in Parliament, except by the hon. member for Bothwell.

Mr. MILLS. The Indians themselves have raised it.

Sir JOHN A. MACDONALD. The question should be looked into, because the Indians of Quebec are in a very destitute condition, and in a different position from the Indians of Ontario.

Mr. ROSS (Middlesex.) Is it the intention to bring Indian schools on Indian reserves under the educational system of the Province of Ontario? I understand that was the intention of the department at one time. Indian teachers are now specially certificated by the Commissioner or Indian agent, and are under his control in a certain sense, and the department felt it desirable in the interest of Indian education to employ no other than those only licensed as teachers under the educational system of Ontario.

Sir JOHN A. MACDONALD. It is desirable that certificated teachers should be employed as much as possible, but it is also desirable to encourage Indian teachers, if they can be found, because of their linguistic knowledge and their acquaintance with the habits of Indians.

Mr. ROSS (Middlesex.) I am glad to hear the Minister's statement. It would be a great mistake to take the instruction of Indians out of the hands of the Indians themselves.

Mr. MILLS. In many places the Indians speak English well, and in such cases there is an advantage in employing them as teachers. If Indian teachers thus qualified for the work can be found they are the best class to employ, but I would not prefer an Indian teacher who cannot speak English or French, because it is not easy to make progress with Indians who are acquainted with only their native language, for they have no literature.

Sir JOHN A. MACDONALD. It is to our interests to get the best teachers for Indians as well as for white men.

Mr. MILLS. There is an item of \$3,000 for surveys. Where will they be made?

Sir JOHN A. MACDONALD. Principally in the Lower Provinces. There are several reserves there for which there is a demand made that they be surveyed.

162. Indians (B. C.)..... \$42,209 31

Sir RICHARD J. CARTWRIGHT. I hope the Minister of the Interior will give some detailed account of the state of things, as regards the Indians in British Columbia. Their position gave rise to considerable uneasiness two or three years ago; and although, I believe, it has been greatly allayed, still the House would like to know the present position of affairs, and how far the good intentions of the present Government, towards securing the rights of the Indians, have been successfully carried out.

Sir JOHN A. MACDONALD. I think it was during the late Administration that Mr. Sproat and two other gentlemen were appointed Commissioners to settle the Indian Reserves, but latterly the sole Commissioner was Mr. Sproat. He proceeded, I think, very leisurely but effectively, in some cases, to mark out the surveys and reserves. Last year he resigned his office. We have had some difficulty in finding an efficient successor who would be acceptable to the Government of British Columbia. Of course, both Governments must act together. I am glad to say we have secured the services of a gentleman capable and acceptable to both Governments, who will resume Mr. Sproat's duties and continue the survey and settlement of the Indian reserves, commencing, of course, with the reserves at the points more immediately required, and going leisurely and steadily in laying out the reserves.

The new Commissioner is Judge O'Reilly, one of the Stipendiary Magistrates and County Judges, who will assume those duties immediately.

Mr. MILLS. Has the hon. gentleman fixed any salary for Judge O'Reilly?

Sir JOHN A. MACDONALD. He had \$3,000 as Stipendiary Magistrate, and the pension is \$2,000. He lives in Victoria, but will be obliged to break up his establishment, go to the mainland, and be stationed on the Fraser River, somewhere between New Westminster and Kamloops, for the purposes of his office. We had some difficulty in securing his services. His salary will be \$3,500, inclusive of pension, making a saving of \$1,500. Mr. Sproat received \$3,650.

Sir RICHARD J. CARTWRIGHT. What amount of land is to be assigned to the Indians?

Sir JOHN A. MACDONALD. It will be regulated by the size of each band.

Sir RICHARD J. CARTWRIGHT. Has any acreage been fixed upon as between the two Governments?

Sir JOHN A. MACDONALD. No. The bands are, some large and some small. They have got their ancestral headquarters, and, I suppose, their ancestral burying grounds; and all these matters are considered together, the Commissioner judging in each case according to the requirements of each tribe, their numbers, and occupationary rights possessed for years.

Mr. MILLS. What progress has been made in locating the Indian reserves; is the work nearly completed?

Sir JOHN A. MACDONALD. I am afraid it is not. It is not completed in Vancouver's Island. Besides, a difficulty has arisen, which I hope will soon be overcome; the Government of British Columbia have not yet, by any conveyance or patents, sanctioned those reserves. There has been no active opposition; but there has been delay in the issue of patents under the Great Seal of British Columbia. Objections are taken to some of the reserves as laid out by Mr. Sproat, the present Government claiming that in some cases great mistakes have been made, and in some the reserves made unusually large.

Mr. MILLS. It does not seem to me the reserves were large.

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

Mr. MILLS. In British Columbia the Indian title was never extinguished. When British Columbia entered the Union the right hon. gentleman made some regulations which ignored the Indian title altogether. I do not think he had the power to do so. Looking at British and United States precedents, including the practice of the Imperial Government, and decisions of the United States Supreme Court, I will say that those authorities have always recognized a title in the Indians—not a political sovereignty over the country, but a personal right of property in the soil. That title in all other British colonies had been always considered as existing before the Crown undertook to deal with the lands for the purpose of sale or disposal to other parties. In the Illinois country, before the American Revolution, a case arose in which the right of the Indians to sell their lands was disputed—and upon which the law officers of the Crown gave an opinion recognizing the title of the Indians to the property in the soil, and their right to sell to private parties before the King by his Proclamation forbade such purchases. I think that no arrangement made between the Ottawa and British Columbia Governments will take away the Indian's right in the soil, if he has not already disposed of it. When I was Minister of the Interior, I was not disposed to raise the question, if the Government of British Columbia would deal fairly with the Indians. But it did not seem to me that they were disposed to recognize

any right or title of the Indians, or grant them reserves large enough for their subsistence. So much dissatisfaction was created among the Indians, that there was a confederacy between the Indians of British Columbia and Washington Territory, which, had it not been for the success of the United States troops against Chief Joseph, that Indian confederacy would probably have involved the whole of that Province in civil war. Mr. Sproat, the Commissioner in British Columbia at that time, recognizing the critical condition of things, was disposed, as far as possible, to meet the wishes of the Indians. I think they did so fairly, and without giving the Indians reserves unnecessarily large. But within the limits of some of those reserves the local Government had already granted patents to private parties. There are some instances in which the parties had come into possession and have either leased the land of the Indians or agreed to work them on shares. Now, according to the local land regulations, a squatter could certify to the facts in such a case, at the land office and get a certificate upon which a patent might ultimately issue, and there have been, I believe, two or three instances in which patents were issued to parties in the very centre of the Indian reservations. I would like to know from the hon. gentleman whether, in such cases, the patents have been cancelled and the lands surrendered to the Indians.

Sir JOHN A. MACDONALD. They have not, so far as I am advised. The hon. gentleman has very accurately defined the difference between the status in which Canada found the Indians in British Columbia at the time of the Union with that Province, and the status of the Indians in the other Provinces. In Ontario, at all events the Indian title was recognized and treaties were made by which the Indians surrendered their titles before the Crown opened the land for settlement. I think that was a fair mode of treatment. The Indians are the aborigines—the original occupants of the country, and certainly their rights should be respected. These rights were not recognized at all, in the same sense in British Columbia as in Ontario. In the first place, when the Hudson Bay Company held the promise under license from the Imperial Crown, they acted with respect to the Indians of British Columbia, as they acted with respect to the Indians elsewhere, and when it became a Crown colony the same system was carried out. The Indian title was never formally recognized by the Government, though I believe they were very fairly treated as a rule. Still no treaty has been made with them and no surrender of the lands took place. The arrangements made by the late Government were, I think very proper, in the way of having reservations marked out by the Commissioners; and as I understand it, the Commissioners always consulted with the Indians and obtained their assent to the restrictions as being sufficient for their purposes. Arrangements were also made so as to enable the remainder of the country outside which were in the possession of Indian bands, to be opened for settlement. I do not at all say that the decisions of Mr. Sproat, or of the three Commissioners, were erroneous, in the way of being too liberal to the Indians. My feeling would be, as I think the feeling of the hon. member for Bothwell would be, on the side of the Indians, and in the direction of seeing that they had "ample room and verge enough" for all their wants. I would be slow to acquiesce in any alteration of a reservation deliberately set apart by the Commissioner for a band, on the ground that it was excessive. There might be mistakes, of course, and they might be corrected, but in all such cases I think the Indians should be consulted, and should be reconciled to any alterations in the bounds which they have been informed are the bounds of their several reservations. I am strongly of the opinion that if the Government raised the question of the Indian title, the Courts of this country and the Courts of England, at all events, would maintain

Mr. MILLS.

the right of the Indians and their title to the occupation of the soil until that right whatever it might amount to was extinguished. And as the Government is the guardian of the Indians, if it was found that the Government of British Columbia was acting unjustly with the Indians—which I do not, by any means, expect—or depriving them of their reasonable rights, we might in such an event be obliged to assert the rights of the Indians to a recognition of their titles to the lands.

163. Indians, Manitoba and the North-West ... \$543,369 24

Sir JOHN A. MACDONALD. With regard to the item of annuities there has been a decrease of \$14,166. As the hon. gentleman is aware the practice is that when an Indian is absent for say three years, he does not receive his arrears of annuity when he comes back. He received the annuity for the year in which he returned and the arrears for one year, and the next year he received the annuity for two years. This plan was followed for two reasons: first, to avoid unexpected demands upon the appropriation; and, secondly, to avoid overloading the Indians with money which would be wanted. It is calculated that \$6,000 will be saved in that way. Then we expected to save at least \$8,166 by a system of checking by tickets which we follow, for the purpose of preventing the Indians from being paid more than once. It has been found that while, on the whole the Indians have been honest, they sometimes cannot resist the temptation when they move from one agency to another of endeavoring to get paid twice.

Mr. MILLS. I do not think the hon. gentleman has acted quite fairly to the House in submitting this vote in its present form. I find, on referring to the Estimates for 1878, that there are thirty distinct items in place of the one we find here. It is impossible to know how this money is to be distributed. We might almost as well vote the entire Estimates in one sum, as to vote this sum of upwards of \$500,000 in the way proposed. In the Estimates for 1878-79 and in all previous years we have a distinct vote for each Indian treaty. For Treaty No. 2, we voted \$27,000; No. 3, \$15,640; No. 5, \$15,560; these votes were for the superintendency of Manitoba. In the superintendency of the North-West Territories we had distinct votes for the Treaties Nos. 4, 6, 7. Then again, with regard to the expenses of those superintendencies, with regard to the amount to be expended for provision, for freight, and with regard to all various payments that were contemplated, each of them were estimated for, and the House was informed of the amount required. The hon. gentleman proposes to take \$202,025 for annuities, and we are left in the dark as to how this sum is to be distributed, and it is only by looking at estimates of former years that we can form any opinion of it. I do not think the hon. gentleman has been successful in preventing frauds. That system of checks has always been in force in reference to the North-West Indians. My opinion is that frauds were practised to a moderate extent in the beginning and they have gone on increasing from year to year. The hon. gentleman has, no doubt, looked at the report of the Inspector. I find in that report that there have been many cases where the Indians appeared at three or four different places and received pay. An Indian appears as a member of a particular band, and he is paid, but instead of returning to his lodgings again he hastens away to the next point of payment, under some other agent, where he presents himself and is paid again. I have looked over the statistics, and I think I can show the hon. gentleman that frauds of this sort have been practised. They have been practised to a limited extent in the Treaties Nos. 1, 2 and 3, because the number of Indians who have appeared, from time to time, each year, is pretty much the same. Yet even in these treaties frauds have been practised. If the hon. gentleman will look at the number of Indians, for instance, in Treaty No. 6, presenting themselves for annuities, he will see that

they have been going on increasing from year to year to an alarming extent. When that treaty was negotiated in the first instance, the number of Indians who appeared for the purpose of receiving compensation was, I think, 2,776; in the next year 5,000; in the next year 6,607; and in 1879-80—the hon. gentleman has not furnished us with the figures for the past year—the number was 8,508. In that year \$44,000 were paid in annuities. Some of those parties received \$5 each. Those who received \$5 must have been previously settled with for their first payment, they must have come under the treaty before. This is evident from the number of Indians who formerly received \$12. I have taken the list of some of those who came in last year. They say: "We have never appeared here before; we want our \$12; we are going to accept the treaty and come under its arrangements." We find nearly 2,000 who appeared for the purpose of receiving pay for the first time. These parties said: "We were not paid last year because we were not present," and so they received their pay for that year. There were upwards of 2,300 names who were paid for that year and the year following. Now, I will take the year 1876-77. The number paid in that year was 2,776; the number paid in the year following, as coming under the treaty for the first time, was 1,938. Then the number who were in 1878-79, and did not appear in the year before, was 4,971, making 9,685 Indians altogether who have accepted treaty money under Treaty No. 6. I am quite satisfied there is not that number there. I am satisfied that a large number of Indians, more than 1,000, probably more than 2,000, have, under Treaty 6, been paid over twice. Then again, when you come to Treaty No. 4, you find exactly the same process going on. The hon. gentleman could ascertain this from the Public Accounts. Take the last year. We find there how many Indians appeared and said they were not present in 1877. There are a certain number who say they were not present in 1876; certain others who say they were not present in 1878, and each of these are paid for those years respectively. You turn back for those years and see how many were present, and how many appeared each year subsequently, and who were paid in former years. You find the sum total, and you find a larger number of persons who were paid \$5, but have never come under the treaty at all. Now, an Indian is not likely to fail to present his claim for \$12 and accept \$5, if he is acting in a straightforward manner. We know of many cases of that sort. The hon. gentleman has only to take the Public Accounts and go over them from year to year and see how many were paid in various years, and he will find that it was a much larger number of Indians than are to be found in that country. When you take Treaty No. 4, you find for the year 1876, there were 3,910; for the next year, over 4,000; for the next year, 5,605; for the next year, 5,878. I am perfectly satisfied that in Treaty No. 4 a large number of the Assiniboine Indians, who had received pay in Treaty No. 7, appeared and were paid again. I am sure that in paying the Indians \$5 each as an annuity, there are nearly 30 per cent., possibly more than that, who were paid twice over, if the agents themselves have not falsified the returns. It is impossible to examine the Public Accounts without coming to that conclusion, because you find that the number do not correspond with the number who have accepted the treaty and have received \$12 for the first year's acceptance. Then if the hon. gentleman will look at the provisions for the purchase of agricultural implements under those treaties, and will look at the returns, he will find that those Indians have been supplied with a far larger number of implements than they were entitled to. Of course, there were frauds practised in the first instance, and it was impossible well to tell how many Indians actually received agricultural implements and cattle under the treaty. Before I left the office over

which the hon. gentleman presides, I instructed the inspector in the Manitoba superintendency, when he visited each band, to see what they had actually been supplied with, and to report, so that the Government would know how far they had been imposed upon. I have no objection to furnish the Indians with even more than they are entitled to under treaties, if what they receive is applied to some useful or necessary purposes; but it is perfectly futile to furnish the Indians with agricultural implements if they are left to decay. Under Treaties 1 and 2, there was distributed in 1876-77, \$4,000 worth of agricultural implements; in 1877-78, \$8,000 worth; in 1878-79, \$12,950 worth; in 1879-80, \$7,680 worth; and in 1880-81, \$4,700 worth. Under Treaties 6 and 7, the hon. gentleman last year took a lump sum of \$55,967. How this is distributed we cannot tell from the Estimates, as the hon. gentleman has departed from the former practise of taking a separate vote for each treaty. With regard to provisions, I remember that when I submitted the first estimates on this subject, the hon. gentleman and the late Minister of Militia both strongly objected to the Indians being fed while they were being paid; and my statement then was that as soon as the Indians could be located on their reservations, it was hoped that this practice would no longer be necessary, but while Indians have to be collected from long distances to a particular point on the plains, it is necessary to feed them while payment is being made. My hope, however, was that this appropriation would diminish year by year as the Indians settled on their reservations. So far that hope has not been realized, and the hon. gentleman has not yet begun to adopt a policy different from the one he then so much deprecated. I find that in 1877-78, \$13,000 was voted for the purpose of purchasing provisions to feed the Indians in the Manitoba superintendency while they were being paid, and \$16,400 for the North-West superintendency; in 1878-79, the second year after the treaties were negotiated, \$16,500 was voted for the Manitoba superintendency, and \$37,000 for the North-West superintendency, making in all \$53,000. For 1879-80 the hon. gentleman expended \$56,930 for this purpose, in the two superintendencies, and last year he took a vote of \$130,686 for the same purpose—three times the amount necessary to feed the same Indians when I had the honor of administering the office. There are, no doubt, a larger number of Indians who have come within the treaties; although no new treaties have been negotiated, the number has, I think, been increased from 27,000 to 32,000, an increase not at all proportionate to the increase in the expenditure. The cost of obtaining supplies is not so great now as it was formerly, as settlements are rapidly progressing westward, and a considerable portion of the supplies can be purchased near the localities where payments are made. I cannot understand this enormous increase. With regard to the management of the Indians, the amounts expended for salaries were as follows:—In the Manitoba superintendency in 1876-77, \$18,600; in 1877-78, \$18,200; in 1878-79, \$18,300; in 1879-80, \$25,000, and in 1880-81, \$25,000; in the North-West superintendency, in 1876-77, \$19,000; in 1877-78, \$17,000; in 1878-79, \$18,500; in 1879-80, \$14,400, and in 1880-81, \$36,430. Two years ago the hon. gentleman proposed to adopt a policy of instructing the Indians in agricultural operations. I think that would have been a prudent policy, if it had been prudently and fairly carried out. But, looking at the returns, and gathering what I can from the hon. gentleman's statement, and from the reports of persons who have been in the North-West, I am of opinion that the system is not likely to be attended with success. When you furnish Indians with agricultural implements, oxen and horses, to enable them to till the soil, it appears to me that the simplest, and cheapest, and best way of undertaking to teach them would

be to put some person on each reservation to show them how to hold the plough and cultivate the soil, and let the crops be theirs when they are harvested. It is said by Dr. Cook, in his lectures to the theological students of Belfast, that clergymen should be taught to preach as we teach dogs to swim, by throwing them into the water; and it appears to me that Indians must learn agriculture in very much the same way. They must be put at the work, and it is by what they do themselves that they learn to cultivate the soil. I observe that in 1879-80 the hon. gentleman took as his first vote for farmers' wages \$11,250, and in 1880-81 \$36,430, and last year I think the account runs up to something over \$65,000. That is a very large expenditure, one which requires favorable results to justify it. I have looked over the report and I cannot see any estimate of the value of the farm products. There is no statement as to the number of bushels of potatoes, wheat, barley, etc., raised. I see that these men are paid by the Government; that the horses and waggons and all the appliances are purchased for them by the Government; and that white men instead of Indians are employed to labor for them. As far as I can see, the products of their industry are to be altogether their own property. One would suppose that, being furnished everything, the products ought to belong to the Government to be used to meet the wants of the Indians not settled on the reservation or suffering from famine. There is nothing in these accounts to show that any one of these farmers has succeeded in producing means for his own subsistence, to say nothing of supplying means for the subsistence of the Indians, and have a very large increase in the vote for this year over that of last year. Farmers and farmers' wages last year were put down at \$36,430; they cost \$65,000; this year the amount is estimated at \$60,000. It seems to me that it ought to be sufficient to supply a farmer with the appliances necessary for conducting his farm. I do not see why he should be paid at all. If you undertake to pay him, what guarantee have you that he will be industrious. The hon. gentleman has employed a very large number of instructors. He has furnished them with 50 spans of horses that cost \$1,700, and 46 yoke of oxen that cost \$5,700, with various other appliances. I have looked over the list. I do not say that the list is a very extravagant one, but I find that those gentlemen are better supplied with implements of husbandry than most farmers are in the older Provinces, and there ought to be something to show for the large outlay that has taken place. If the hon. gentleman continues to pay these men and take their crops they will have no motive to do anything. They will be precisely in the position of the African slaves in the Southern States who, not receiving the profit of their industry and whose wages not depending on the results, will do as little as possible. You cannot have such an inspection over those men as well secure efficiency. You may have an inspector that will enable you to detect a man who is scandalously careless and dismiss him, but you will put another man in his place who, under the pressure of the system, will tend downward to the same point. From the policy he has adopted, the hon. gentleman is likely to receive the smallest results for the largest outlay. There has been a very large expenditure for the establishment of a central organization in the North-West to manage Indian affairs. The hon. gentleman, shortly after he assumed the duties of the office, complained that under my charge, and through the exercise of what he called a meddling oversight, the management of Indian affairs was somewhat disorganized. I do not subscribe to the hon. gentleman's conclusion. The office was scarcely organized. It was, in fact, my intention to have reorganized the Indian management if we had been more successful at the elections; but during the period I was in office, I had done very little more than obtain the information necessary to

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intelligent action, and when the hon. gentleman proposed to create a Commission in the North-West and put the Indians in the North-West in charge of it, it did seem to me he was departing widely from the principles of responsible government, for through whatever instrumentality the government of a country may be carried on, the responsibility after all should rest with the Government here. While it may be well to have an efficient officer on the ground to obtain information and report, it is evident that the final determination ought to rest with the Government. I do not think that the hon. Minister will improve the efficiency of the office by repudiating the responsibility and transferring the duties to some other person in a distant part of the country. It does not seem to me that the right hon. gentleman's Commissioner purposes residing in the territory.

Sir JOHN A. MACDONALD. He does; but he is here at this moment.

Mr. MILLS. He was here when the Session opened, and has been here ever since, I think.

Sir JOHN A. MACDONALD. No.

Mr. MILLS. I find the office costs \$7,658, to say nothing of travelling expenses; that the establishment of the farms cost \$34,000; maintenance, \$31,000; and this year the farm will cost \$60,000 more. So far as I can learn from any information procurable, those farmers have not even produced crops sufficient to sustain themselves. The hon. gentleman has expended upon advertising, in connection with Indian affairs, between \$3,000 and \$4,000, between thirty and forty newspapers which he found it necessary to patronize. I was quite right in giving him the number of newspapers I did last night, as 124.

Sir JOHN A. MACDONALD. No.

Mr. MILLS. Yes; there were upwards of thirty advertisements in the Indian branch, and 139 in the Dominion Lands branch of the department. Looking at the proportions of this expenditure I find that the management of the affairs of the North-West which formerly cost \$30,000, now costs \$25,000 more; in addition, we have \$8,000 nearly spent on the office of the Commissioner, and something like \$14,000 in all, upon the officers and their travelling expenses, exclusive of the salaries of the Commissioner and his secretary. So we have here a proposition to spend an enormously large sum for this service, and this will be the fourth year.

Sir JOHN A. MACDONALD. No; our Estimates only commenced from 1st July, 1879.

Mr. MILLS. \$11,252 was expended in 1878-79, and \$65,000 in 1879-80. The vote we are now taking is for the fourth year.

Sir JOHN A. MACDONALD. This Government have only estimated for two years, for 1879-80 and 1880-81.

Mr. MILLS. The hon. gentleman brought down a supplementary estimate for the expenditure for this very purpose in the previous year, \$11,250; and now there is an estimate for this, the third year. I can see no object in taking a large sum out of the Public Treasury, to employ laboring men on those farms with the farmers. If any persons are employed, it should be Indians; and if the hon. gentleman would give the Indians a share of the crops for wages, they would have a special interest in producing as much as possible, and he would save a large sum to the public. Our Indians will not learn to farm by seeing other men at this work, and they are not likely to enjoy even that advantage if the farm is remote from the reservations. If we were to dispense with the vote for wages, diminish the vote to the farmers, and allow

a proportion of the crop to go to the Indians as compensation for their help to the farmers, he would save public money, and teach the aborigines to become farmers, making them in some degree, at least self-supporting. The present prospect is a large increase of expense without improving the condition of the Indians.

Sir JOHN A. MACDONALD. My hon. friend (Mr. Mills) has complained with regard to the annuities, that the amount estimated for is not inserted in the Estimates as it was last year. The chief reason for the alteration is the Audit Act. The Auditor General very correctly, perhaps, under this Act, holds that, no matter how the vote may be subdivided, no more money can be spent under the head of the subdivisions than is voted. For although the whole any expenditure may be within the whole vote, in consequence of the vigorous system of paying the Indians by ticket, there would be a considerable reduction—there has been one and would be a larger reduction. But you cannot by any possibility hit a saving under this treaty. You can only approximately average the figures in the whole amount of the various accounts by the more rigid system. If the whole amount is kept within the bounds of the last year's estimate, and if the report shows, as it does, the amount under each treaty—the matter is satisfactory. The whole report unfortunately has not been laid before the House, but the amount given under each treaty is stated specifically in the report. With regard to the system of payment by ticket, last year there appears on the face of the ticket which is given to each head of a family, the number of his family and the place where he was paid last. This ticket he must produce before he is paid, and under this system it is as nearly as may be a perfect check upon his being paid twice. The hon. gentleman says he finds that a large number of tools and agricultural implements have been given to the Indians, and that they have not used them. But the hon. gentleman must remember that we are under a treaty obligation to furnish them with a certain number of agricultural implements, oxen, &c. Perhaps those treaties were not sufficiently guarded as to the manner in which those implements were to be used by the Indians, but at all events we are bound to furnish them. All we can do is to endeavor, in every possible way, to induce them to use them. Some cattle which were given them at first they ate the moment they got them, but now they are attaching value to the ox as an animal of labor rather than as an article of diet. The experiment of employing these farm instructors is, I believe, working as successfully as could well be expected, considering that 1880 was the first year in which it was tried, and that they had to begin by teaching the Indians the very rudiments of agricultural pursuits. In despair at finding that their ordinary means of subsistence have disappeared forever, the Indians have betaken themselves, in a rude way, to cultivating the soil—to scratching it I might say—and are to some extent, at least, feeling the example of their instructors with promising results. Unfortunately the crop of last year has been exceptionally killed in consequence of a summer frost, but at all events the Indians have made a commencement, which is about all we could expect for the first year, considering that we had to take the nomadic Indian from the prairies, wild as the buffaloes, and set him down to stationary agricultural pursuits. The Indians are being induced to work, but they must have instructors, and these instructors must be paid. You cannot get men, from motives of philanthropy, to settle amongst a band of Indians which is away from his own kindred and lineage. The farms of the instructors are just outside of the reserves, but in juxtaposition to them, and it is their duty as well as the duty of their assistants to show the Indians how to do the work and induce them to cultivate their lands. The hon. gentleman says that there is no possibility of inspection, but I do not see that at all. We have an efficient inspector

there at present, and he reports that on the whole—though there have been one or two failures, and that must always happen—the great majority of them have proved themselves worthy of their salaries, and have acted wisely and well in inducing the Indians to betake themselves to work. The hon. gentleman says that the instructor should not get the crop. He does not get the crop. When they were first engaged they were given twelve months' provisions, with the understanding that, after that time, they should find themselves. Some of them, however, contended that anything they raised on the farms, after supplying themselves and their hands, was to be their own property. A notification was sent from the Department defining their duties. Another notification drew attention to the arrangements made with them, and further informed them that they would be charged 25 cents *per diem* for their board, and that each member of their families would be charged 12½ cents *per diem*. Statements were to be sent to the Inspector, and checked, as to the produce of the farm, and the amount consumed, which was to be charged against them. Statements were to be made every quarter showing the number of the family of each farmer. Some of them who were dissatisfied with the arrangement was told that they might go, as it was possible to get as good and perhaps better men—men who were more acquainted with this country. These instructors were originally selected in the older Provinces, but it is expected that now, after the influx of persons skilled in agricultural pursuits, we would be able to get suitable men who have been in the country four or five years, to take the place of any who may yet be dissatisfied. The farmers who get their salaries are obliged to pay for everything else they get. With regard to the two farms in the McLeod district, where there are many destitute Indians, it is intended to use the surplus to feed these Indians. On the Indian farms located off the reserves, the home farms, the Indian is to raise sufficient for the farmer at 25 cents a head, and also to put as much labor on the Indian reserves as possible, making the workingman employed under the farm instructor work with Indians, not only to show the Indians how to work, but to work with them, so that they may see how the white man works. The Indian is docile in that respect. Where the example is shown him he will take off his coat and work with considerable assiduity, much more than the Indian in Ontario and Quebec. I quite agree with what the hon. gentleman says about the abuse which has existed, in his time as well as my own, in regard to the waste of provisions furnished the Indians when they received their annuities. The hon. gentleman knows that the Indians were in the habit of assembling in large bands and indulging in jollity and play, and they would refuse to take their pay in order that they might be fed and keep up the assembly as long as they could. They had either to be fed, or starve. This was a very bad system, but I fancy it was absolutely necessary—there was no other way of paying the Indians at first. But now, with an improved mode of communication which increases every year, and with the increase in the number of agents and white employees of the Government, it is the intention of the Government—they have commenced this year, and they intend to continue it—to pay each Indian band as much as possible on their own reserve, and thus to discourage these large assemblies. The department may not be able to do this in some few places, but it will be done wherever possible, and the Indians will be paid at once by the agent on their own reserve, and thus save this unnecessary waste and prevent the Indians from assembling in a manner prejudicial to themselves. Of course the system is tentative and it is expensive, especially in feeding the destitute Indians. But it is cheaper to feed them than to fight them, and humanity will not allow us to let them starve. The vote is large, and will continue to be large, but the Indians must be fed, and the country will not

allow us to let them starve for the sake of economy. The only way to avoid that necessity is by using steady efforts to get them settled on the reserves and to make them farmers. Some of our efforts have resulted in total failure, but the experiment must be persisted in. If there is failure one year it must be avoided next year. The Indians are by slow degrees learning to cultivate the soil. We have already met with sufficient success to justify the Government in asking for these votes. It is a necessity of the whole country to have the Indians civilized and utilized, and if the experiments sometime fail, and if the expense seems large, Parliament must put up with it because there is no other way. I shall only repeat again that the report shows that the Indians have been taking themselves to the cultivation of the soil. They have fully realized that in future years they must look to the soil, not to the produce of the chase, for their support. It is a great thing to have that notion firmly impressed on their minds, that in the future, except in case of an occasional failure of food, they must depend upon the soil for their subsistence. The hon. gentleman says he thinks the appointment of a Commissioner is a mistake—or he insinuated that. I think the hon. gentleman intended at first that the Lieutenant-Governor of the North-West (Mr. Laird) should act very much as a Commissioner—at all events he was appointed as agent with an addition to his salary as Governor, for that purpose. Although he was so appointed I understand the hon. gentleman found it more convenient to conduct affairs directly from headquarters here than through Mr. Laird. At all events, Mr. Laird resigned his position. It occurs to me that it is a mere matter of administration, it is a matter of responsible government, and the Minister is responsible to Parliament and the country for the good administration of his department. It seems to me absurd to suppose that every little land agent, every farm instructor and every Indian agent, should report directly here instead of having a commissioner there to whom accounts could be sent, who would supervise the whole system and be responsible to the Minister, the Minister in his turn being responsible to this Parliament. I think that is so obvious that it is hardly worth arguing. As regards the present Commissioner, he was here last Session and he is here this Session, being specially called here for the purpose of consulting with the department. He has roamed over that country with great activity during the short period he has been appointed. He has visited nearly every portion of that vast country, and made himself acquainted with the Indians and their wants. Of course he was fully trained in intercourse with the Indians of the North-West before he was appointed. Being a man of great energy, and of good physique as well, he has gone over that whole country, and has made himself as fully acquainted as any man possibly could during the time. It is, of course, necessary that he should come down here. It was only a journey of three or four days from Winnipeg to Ottawa, and it was necessary that he should come here, and give an account of his experience, along with suggestions as to working out the system, which is yet, I must admit, in an experimental state. I think it will be absolutely necessary that we should have such an officer, and I think results will show that his appointment has been a success. If there is any other point that I have omitted I will be glad to furnish the hon. gentleman with information regarding it.

Mr. MILLS. I will just say a word with regard to the last observation of the hon. gentleman. He knows, from papers in the department from Manitoba superintendency, that all the reports of the various Indian agents came, not to the department, but to the superintendent. If the hon. gentleman has read the papers he knows that the result of that system was not satisfactory, and that a condition of things existed which never could have

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existed if reports had been made directly to the department by the subordinate superintendents as well as by the central office. Look at the results. From 1874 to 1878 the treaties were negotiated. Special expenditures were incurred during these negotiations that have not been incurred since. The hon. gentleman knows that it requires considerable time to negotiate treaties; large number of Indians are assembled together, and must be provided for until the negotiations are concluded. But nothing of that sort has occurred since the hon. gentleman adopted his new arrangements; so that, in comparing the estimates of the early years with those of the latter years, this fact must be kept in view and reductions accordingly made. Notwithstanding that, the expenditure for provisions has enormously increased. There is a strong temptation for men whom you appoint as Indian agents—and they are always men without much means, or they would not accept the salary we give—and who are far removed from the influence of public opinion, to act dishonestly towards the Government or towards the Indians. In my opinion, these men require some sort of supervision, a supervision which they have not received. Some of these men incur larger expenditures than they ought to incur, and I am perfectly satisfied that some of them have not acted faithfully towards the Government who have entrusted them with their positions. I would also call the hon. gentleman's attention to the evidence which the Public Accounts afford, that many Indians have been paid twice over each year, and the number is continually increasing.

Sir JOHN A. MACDONALD. Not now; it is decreasing, and we believe it is going still further to decrease.

Mr. MILLS. Under treaties 1, 2, 3 and 5, which apply to Indians who are collected in small bands, the payments in each year have been pretty uniform, and therefore there should be no difficulty in appropriating a precise sum for each; but in the others, 4 and 6, the amounts vary considerably, and have been going on increasing.

Sir JOHN A. MACDONALD. We hope to put a check to that.

Mr. MILLS. With regard to the commissionership, the hon. gentleman has yet to show why it should exist. The hon. gentleman says we had a commissioner; we had Mr. Laird as a temporary superintendent, because we knew very little about the country, and the negotiations with the Indians were not completed. It certainly was not the intention that the condition of things then existing should continue, and it does seem to me that we have now a machinery altogether out of proportion to the work required to be done. It is obvious, from the amount of the appropriation last year, that these Indians were not totally destitute of supplies. The supplies given them would feed them only for a short time, certainly less than a month, and the rest of the time they must have been living on means provided by themselves. When you once commence feeding the Indians, their demands for supplies must go on increasing.

Sir JOHN A. MACDONALD. I do not quite understand my hon. friend. The Indians must either be fed or allowed to starve. Of course if they are furnished with food, it is natural for them to hang around where their food is, and every possible check must be applied to stop that. I believe every possible check has been applied. Some of the officials, from good nature, and others from fear of the Indians, being far away from adequate protection, have, perhaps, been too liberal. The hon. gentleman says there are temptations to these men to be dishonest. That is so, and yet the hon. gentleman objects to the Commissioner who is specially appointed to look after these men and to keep them honest as far as possible. I may inform the hon. gentlemen that, in order to prevent the Indians from

hanging around the different stations, they have only been fed on half rations, and we have been so severe upon the Indians in this regard that we have on several occasions received remonstrances from the medical men in the vicinity of these points, stating that the food was insufficient to support them. Still we hope that the demand for food will decrease every year, as the Indians become employed. We find them betaking themselves to getting out ties for the railway, and it is believed that they will be ready and willing to apply themselves to the work of construction, not to rock cutting, but to the use of the pick and the spade, which will be of great advantage in view of the scarcity of labor in the country. I would also state that the agents for treaties 1, 2, 3, and 5 have been instructed to subtract from the payments to the Indians next year the overpayments which have been made. Will the hon. gentleman object to the cost of \$12,000 for building an office for the Commissioner. He will be situated at a central point. \$12,000 will not build a very big house anywhere, and certainly not out there. The Commissioner must have an office, and also a council room in which to receive the Indians.

Mr. SCOTT. Some hon. gentlemen may think the expenditure for the Indians is in excess of what it ought to be, but they should take into consideration the fact that it is most necessary to the opening up of the North-West that we should maintain the most friendly relations with the Indian tribes. To do that, we must keep faith with them. When treaties are made, the amount must be paid punctually and promptly; if not, we will be sure to get into the same difficulty with the Indian tribes of our North-West that our friends on the other side of the border have to contend with. We know from experience in the North-West that the Indians, when opportunities are offered them, are always ready to lend a helping hand in the farming operations, and that the policy of the Government in appointing farming instructors in the North-West has had already a most beneficial effect. It is much better to pay this small sum — for although it may appear large, I contend it is a small sum for the extinguishing of the Indian title and the purchase of lands in the North-West — or to pay double the amount rather than have an Indian war. I believe the Indian agents appointed in the past, have managed the business, at all events, to the satisfaction of the Indians; if not, we would have heard of it long before this. I presume the Government must have sufficient check on their officers in the North-West to know if they are dealing honestly with the Government or not. I have every confidence that the movement which the Government have made in regard to the treatment of the Indians of the North-West will result in good hereafter. I trust they will continue that policy. I trust they will be even more generous towards the Indians. We know well that during the regime of the Hudson's Bay Company, we never heard of difficulties with the Indian tribes, and that notwithstanding it has been called a great monopoly, it held the Indians tribes true to the British flag.

Mr. JONES (Leeds). I am aware of the truth of what the First Minister has said. I know of one man who was placed on one of the outposts, and who gave up his position on account of the reduction of rations, as he was afraid to remain there on account of the position of the Indians.

Mr. McCALLUM asked what kind of cattle were supplied. Where they wild Montana steers, such as were purchased by the late Government?

Sir JOHN A. MACDONALD. I believe some wild cattle were given under contract some years ago, but I have no doubt my hon. friend opposite called the contractors to account.

Mr. MILLS. Montana and Minnesota were the only places where cattle could be purchased. I have no doubt the

Government are obliged to purchase cattle now where they were purchased before. I believe the last lot was bought from the Hon. James McKay, but he had formerly purchased the cattle in Manitoba. The wild cattle were not purchased in my time, but before I came into office and since.

Mr. McCALLUM. The hon. gentleman made the most extraordinary contention that it would be good policy to starve the Indians. The Indians will not starve but will fight or steal, and it will cost less to feed them than to fight them. The hon. gentleman says we should make them farm lands, but we must first teach them how to do so. They must be coaxed into becoming self-sustaining.

Mr. TROW. The hon. gentleman appears to have misunderstood the remarks of the hon. member. His statement was that the appropriation was not unreasonable, but that its application in many instances was not proper, that it was not legitimately expended. I have had some little experience out there, and I know large sums are expended for provisions which are not properly appropriated. Indians have been obliged to come to some places hundreds of miles to receive their pay. It is not proper they should be obliged to come all that distance to receive their paltry pittance of \$5 each. If the paymaster would travel, instead of the Indians, for hundreds of miles, it would save money, because the Indians are allowed certain days' rations. On one occasion at Qu'Appelle several Indians had travelled five days to the place of payment, and occupied a like time in returning to their hunting grounds. That could be altered.

Sir JOHN A. MACDONALD. That is being altered.

Mr. TROW. I cannot understand the system of checks to which the hon. First Minister has referred. Badges were used many years ago, but several of them were lost, and agents had to take it for granted that they wore the right parties. One great grievance I noticed was, that the Indians would remain feasting several days before they would accept their payments; on one occasion the time was nine days. I can understand that this might occur when the Indians were making treaties, but no reason existed after the treaty had been made and amount of payment fixed. On all occasions of payment, merchants and peddlars follow the paymaster, and within an hour of receiving their pittances, nine-tenths were expended in trifles not worth five cents, but for which a dollar was charged. I know cases in which Indians have bought a bottle of Pain-killer for a buffalo robe worth \$5. I hope the system initiated by the Premier will have a tendency to prevent fraud, because at one time 27 Sioux Indians who had escaped from Sitting Bull's band came to Qu'Appelle and nine of them received payments.

In reply to Mr. MILLS,

Sir JOHN A. MACDONALD. The chief scene of the destitution among the Indians is in the territory extending from the vicinity of Wood Mountains to Fort Macleod. Besides the gradual and rapid decrease of the buffalo, there was the fact that the American troops were drawn up on the front in order to watch the hostiles, the Sioux, and the buffalo were thus driven back.

Mr. SCHULTZ. There are a large amount of lakes in the North-West filled with whitefish, while others have no fish. I would suggest that the department consider the advisability of stocking such lakes with fish spawn.

Sir RICHARD J. CARTWRIGHT. What information can the First Minister furnish respecting Sitting Bull and his band?

Sir JOHN A. MACDONALD. The main portion of the hostiles have surrendered to the United States. Sitting Bull with a much diminished body, numbering only 60 lodges out of all the vast body of men, is in a starving condition, but is still obstinate, more from apprehension, I think, than any-

thing else, and refuses to surrender. The Americans promise the Sioux good treatment, and those who have surrendered have been very well treated. Sitting Bull, who is in a starving condition, receives no sustenance of any kind from the Canadian Government. They are told they will receive no food from the authorities, and that they must surrender to the American Government. Our offer of an escort of Sitting Bull, to the frontier, and also of protection till the American forces are ready to receive and protect him, has been again and again made. The Indians are afraid of being attacked by some of the western men who suffered from hostile incursions of the Indians during the Civil War. Every inducement has been offered to those Indians to surrender, and I believe they will surrender to the United States authorities ere long *ex necessitate*. The bands have dwindled away considerably. There are now 60 lodges.

Sir RICHARD J. CARTWRIGHT. I am extremely glad to hear that, because Sitting Bull's Indians have always been a serious source of danger to us. Where are those people?

Sir JOHN A. MACDONALD. Wood Mountain.

176. Collection of Revenues—Excise..... \$200,206 66

Sir RICHARD J. CARTWRIGHT. This item was last year but \$180,000. Is there an increase of \$20,000 this year? The increase of the salaries of the Excise officers is a very large one. There seems to be a considerable alteration in the system.

Mr. LAURIER. I thought the same system was kept up this year. I see there have been examinations for the admission of candidates into the different branches of the service; and I knew the candidates raised from one class to another are entitled to an increase of salary. If it is not proposed to have any such examinations this year, I do not understand why there should be so much money asked for—more than last year.

Mr. MOUSSEAU. The increase over last year is \$20,206. The increase is accounted for by the larger number of employees this than last year, amounting to seventy-six; thirteen are to oversee the collection of the tobacco duty; fifteen are excisemen; there are two caretakers and three messengers besides a few other officers.

Mr. ANGLIN. Where is the additional work for those officers?

Mr. MOUSSEAU. The increase is in consequence of the Act last Session by which a change in regard to the cultivation of tobacco was provided for, and the inspection of petroleum was made more effective.

Mr. LAURIER. This increase is principally for new excisemen to look after the tobacco revenue.

Mr. MOUSSEAU. To look after tobacco, petroleum and gas.

Mr. LAURIER. How many officers are for petroleum?

Mr. MOUSSEAU. None specially. Last year there were fifteen, this year twenty, but that is not at all a vote of the Government, but it is done in carrying out the law of 1873.

Sir RICHARD J. CARTWRIGHT. Are we to understand that the increase of thirty-three additional employees on a total staff of 133 or 134, is on account of the inspection of tobacco?

Mr. MOUSSEAU. With regard to this inspection of tobacco, we have been entering on a new phase of the matter, in the hope that it would ultimately be an important source of revenue.

Sir RICHARD J. CARTWRIGHT. Is it from a tax on this native grown tobacco that you hope to realize this revenue?

Sir JOHN A. MACDONALD.

Mr. MOUSSEAU. Yes; and, by sending instructors through the country, to teach the people how to grow good tobacco.

Sir RICHARD J. CARTWRIGHT. Do you mean to say that, under this vote, you are taking money to pay instructors in the growth of tobacco, and not for excise purposes at all?

Mr. MOUSSEAU. Some of the instructors have only begun their work, but the production and sale of the articles are rapidly increasing.

Mr. LAURIER. Really I think this is obtaining money under false pretences. This vote is asked for the salaries of excisemen, and now the hon. gentleman says that these men have the duty of instructing the people in the growth of tobacco. This I do not think is allowed by the Act, and the hon. gentleman should at least state fairly and above-board what the money is for. I do not believe these are part of the duties imposed on the exciseman. I believe, on the contrary, it can only be the duty of the exciseman to collect the revenue. I see by these estimates that the collection of the duties on tobacco cost this year over \$60,000, though a very insignificant revenue was collected. If we are expending all the hon. gentleman has stated, I can only repeat what I said before, that it is obtaining money under false pretences.

Sir RICHARD J. CARTWRIGHT. What provision is there in the Act authorizing these officers to instruct the people in the growth of tobacco?

Mr. MOUSSEAU. What I said was that the instructions from the department were to examine the kind of tobacco in cultivation, the mode of cultivation, to give such advice as was needed, and to report to the department. If there are any improvements made in the culture of tobacco, it will be the duty of these instructors to acquaint the people with them. I understand that the gentlemen selected for this purpose are well acquainted with the culture of tobacco. These officers have already been appointed.

Sir RICHARD J. CARTWRIGHT. The statement made is a remarkable one and requires the attention of the Committee. The hon. gentleman tells us that, owing to the encouragement to be given to the growth of Canadian tobacco, he expects a large increase in the revenue. We impose a duty of only four cents a pound upon that, and all the Canadian grown tobacco which goes into consumption will necessarily keep out so much foreign tobacco on which there is a much larger duty, and where the additional revenue is to come from I really do not see.

Mr. MOUSSEAU. There is 14 cents on manufactured tobacco.

Sir RICHARD J. CARTWRIGHT. Unless the law has been altered the duty is twenty or twenty-five cents. Although it may be very desirable to encourage the growth of Canadian tobacco, for every pound which pays an excise of four cents you lose necessarily an equal quantity of foreign tobacco, which would otherwise go into consumption, and pay a double or treble duty.

Mr. ANGLIN. I think it is a great advantage to the House that the hon. Minister of Inland Revenue is not present to-night; for he would not, I think, have given such explanations as we have received. If thirteen gentlemen are to be sent through the Province to teach farmers how to grow and save tobacco, it would be well that we should be informed how these instructors are to be instructed, for I presume it is not easy to find men who are adepts in that business. We should first be satisfied that they know something of the business, and that they will be able to convey valuable information to the native population. This is an extraordinary system that appears to have been adopted. In regard to excisemen, the hon. gentleman did

not tell us why this large number of officers is now necessary that was not necessary last year. We ought to know what these gentlemen are to-day, and why they are more necessary now than they were last year.

Mr. MOUSSEAU. We are asking for \$12,000 to provide for the cost of obtaining stamps and for the stamping of imported and Canadian tobacco, under the provisions of 43 Victoria, chapter 19; also to pay for travelling expenses of the instructors.

178. Weights, Measures and Gas ..... \$83,350 00

Sir RICHARD J. CARTWRIGHT. We were told that there was going to be an immense economy in this business, and I perceive that we are within a fraction of the amount expended under the old system, under which we received much more in the way of fees than we are receiving at present. If you make allowance for diminished receipts, you will find that we are expending, over and above what we receive, just as much as we expended before.

Mr. MOUSSEAU. In 1878-9 you appointed 94 inspectors of weights and measures; we have this year only 71.

Sir RICHARD J. CARTWRIGHT. In other words, the impudent farce which was played two years ago is now developing itself. By Act of Parliament, just as good men as we now have were turned out on the pretence of economy, and the economy is now developing itself into an expenditure of \$83,000. I do not doubt that next year it will be \$93,000, and the next year \$103,000. The whole powers of Parliament were prostituted to turn out these men in order that a number of new appointments might be made, and we now see the result.

193. To pay George Levegne arrears of salary as caretaker of the wharf, lighthouse and gate at River Ouelle, 20th September, 1870, to 1st March, 1874, and for disbursements made by him.....\$211 50

Sir RICHARD J. CARTWRIGHT asked an explanation of this.

Mr. LANGEVIN said he was employed all that time and never presented his account. His claim was looked into and was found to be correct.

Mr. LAURIER. Why was he removed in 1874?

Mr. LANGEVIN. The wharf was leased to a tow-boat company, and his services were no longer required.

194. Post Offices. .... \$1,943,500 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. LANGEVIN gave details of the increases required for the operation of the service in the different Provinces.

Mr. BOURBEAU. Mr. Speaker, the parishes of St. Cyrille, in the County of Drummond, Saint Valère, Saint Albert and Sainte Clothilde, have asked the hon. Postmaster-General through me, for a mail service three times a week; these last named parishes were the first to be created in the County of Arthabaska. It is true that there are but few stores in those parishes, but there is a large lumber trade, especially in winter, with merchants from Québec, Three Rivers, Nicolet and other places. These merchants are often obliged to send messengers for a distance of 18 miles, in order to get to the Arthabaska Post Office. I regret to have to say that he refused to grant this just request. I am glad to be able to make the request in the House, because I told the hon. Postmaster-General that I would not trouble him any more. I hope that the hon. Minister of Public Works, who thoroughly understands the interests of the Province of Quebec, better perhaps than the present hon. Postmaster-General, will grant the request of these four parishes, for I have not the intention of again applying to the Postmaster General. Too much economy is perhaps exercised in the Counties of Drummond and

Arthabaska, and perhaps the money spent elsewhere might make the population of these counties jealous. To be just, one should not economize in one county, and spend in the other. The Counties of Drummond and Arthabaska are two counties represented by one member, and they do not enjoy the same advantages as other counties; the member representing those two counties should have at least as much patronage as that allowed to a deputy representing but a single county. As I represent two counties, I should at least receive the same patronage as other deputies, but I regret to have to say that I am far from having my share of it.

Mr. LANDRY. I take advantage of the circumstance to ask the Minister of Public Works, who is here representing the Postmaster-General, if it has been quite settled that the various documents, reports and forms indorsed by the Post Office Department, and sent to the different postmasters in our rural districts, are to be in French. I ask the same question of the hon. Minister of Militia and Defence.

Mr. LANGEVIN. In answer to the hon. member for Drummond and Arthabaska, I must point out to him how wrong it is for him to have said that he would again call on the Postmaster-General. He must see that if so far he has not succeeded, it is because the Postmaster-General needs further explanations; were he to go and see him again, and give him further explanations, he would gain his point, and I consequently would advise him to call once more. I am certain that when I shall have told him what has just taken place, he will reconsider the matter, and will grant what is asked for, if there is a possibility of doing so.

Mr. BOURBEAU. If the hon. Minister of Public Works will give me the assurance that he will be more courteous, I am ready to call again on him.

Mr. LANGEVIN. The hon. member cannot understand that Ministers are but men, and that often a Minister is tired and has not the time to receive all those who call on him. Those who call on him are often members of Parliament, but when seven, eight, ten, or twelve follow one another during the course of the same morning, a Minister may get tired, and not receive every one with the same courtesy. But the hon. member may be sure that the Postmaster-General, who is a most courteous man, did not intend to receive him uncourteously, and that he will be perfectly well treated should he call again. With regard to economy in the Counties of Drummond and Arthabaska, the hon. member need not fear that the Government seeks to economize except where it is necessary, and we have not the intention of economizing in that county more than in any other. With regard to the question put by the hon. member for Montmagny (Mr. Landry), I know that it is the intention of the Postmaster-General that the documents sent to French Canadian postmasters and officials shall be in French; it has always been done; there may have been a misunderstanding, but such is the intention. I made note of the matter in order to put it before the Postmaster-General.

Mr. HESSON. The expenditure for the Post Office service appears to be very considerably increased. I am satisfied, however, that there is no expenditure from which the public receive greater advantage. I believe there will be no illiberality displayed by the House in regard to voting what is necessary to maintain this service effective. I know from long experience how much the people value postal facilities, and how much they are benefited by them, especially in the newer settlements. I will add that I am sure no portion of the service is more ably administered, and in none is the expenditure more wisely made.

Mr. ROSS (West Middle ex). I would like to know why two or three post offices have been closed up in my con-

stituency. Perhaps, between the time of concurrence and the next general elections, we shall have the matter explained. The closing of those offices has resulted in great inconvenience to the people.

Mr. LANGEVIN. If the hon. gentleman will give me a notice of his question, I will try to answer on the next opportunity.

Resolution ordered to be reported.

Sir RICHARD J. CARTWRIGHT. When will the Supplementary Estimates for 1881-82 be brought down?

Sir LEONARD TILLEY. On Monday, I think.

House adjourned at 2 o'clock, a.m.

## HOUSE OF COMMONS.

MONDAY, 14th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved that on this day, and on every Monday during the Session, Government business shall have precedence after Private Bills.

Motion agreed to.

Sir JOHN A. MACDONALD moved that Private Bills be placed on the Orders of the Day the same day as they are reported.

Motion agreed to.

### MILITIA AND DEFENCE.

Mr. CARON introduced a Bill further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion. He said: I may state that by the first clause of this Bill it is proposed to correct an error which exists in the French copy of the Act and which gives that copy a different sense from the English copy. I propose to add the words "*ou soldat*" in the 18th section, 31 Victoria, Chap. 40, after the words "*si c'est un sous officier.*" The second clause provides for extending to February, 1883, the time when the enrollment of the reserve militia shall take place, the date in the present Act being February, 1881.

Bill read the first time.

### PRIVATE BILLS.

The following Bills passed through Committee:—

Bill No. 79 to incorporate the Northern, North-Western and Sault Ste. Marie Railway Company.—(Mr. McCarthy).

Bill No. 25 respecting the Ontario and Pacific Junction Railway Company.—(Mr. Williams).

### THE INTERCOLONIAL RAILWAY.

Mr. LANDRY asked if the Government could, to-day, give the answer promised last Monday, seventh instant, with regard to the action it intends taking on the petitions that have been presented to it, asking for the building of a branch off the Intercolonial from St. Charles to St. Joseph de Lévis; and, whether it has the intention of building that branch this year; if not, what are the Government's intentions at that point?

Mr. LANGEVIN. In reply to the first part of the question, I have to say that the Government is ready with its Mr. Ross (Middlesex).

answer to-day. With regard to the second part of the question, as to whether the Government has the intention of building the St. Charles branch this year, I must answer in the negative. To the third part of the question, viz., what the Government's intentions are, I will answer that the Government has the intention of at once inviting tenders for a railway ferry between the terminus of the Intercolonial in Quebec South and a spot nearest the Occidental Railway on the Quebec side, so that the baggage cars may be transported from one side of the river to the other. That ferry will have to be built by the Intercolonial and Occidental, on joint expense—i.e., by the Federal Government and the Local Government. On the other hand, as the Government has not the intention of building the St. Charles Branch this year, in order that the trade of Quebec, which interests the hon. member when he puts that question, shall not suffer, the Government intends to regulate the charges on the Intercolonial between St. Charles and Quebec, by calculating the distance as if the St. Charles Branch was actually constructed.

### CANAL AT THE CEDARS

Mr. LANTIER enquired, Whether, in accordance with the promise made in the early part of the Session, the Engineer-in-Chief of Canals has examined the reports of explorations made for the construction of the projected canal at the Cedars; whether a report has been made, and the Government are prepared to give a decision?

Mr. POPE (Compton.) The Chief Engineer has been enquiring into the matter, but has not yet made his report.

### GOLD AND SILVER MINING IN KEEWAYDIN.

Mr. SCOTT enquired, Whether it is the intention of the Government to encourage gold and silver mining industry on Lake of the Woods in Keewaydin Territory, during the coming season, by making temporary arrangements for the issue of mining licenses until the question of disputed territory may be finally settled?

Sir JOHN A. MACDONALD. The subject is under consideration. I hope to give the hon. gentleman an answer in a day or two.

Mr. MACKENZIE. Why, it was done years ago.

Sir JOHN A. MACDONALD. No.

Mr. MACKENZIE. Yes.

### THE MENNONITE RESERVE.

Mr. SCOTT enquired, Whether it is the intention of the Government to open the unsettled portion of the Mennonite Reserve, in the Province of Manitoba, for general settlement, particularly in the region known as the Pembina Mountain District?

Sir JOHN A. MACDONALD. The intention of the Government is, during the course of the present spring, or the coming summer, to offer these lands for sale at public competition.

### CANADA CENTRAL RAILWAY.

Mr. WHITE (Renfrew) enquired, Is it the intention of the Government to place a postal car on the western extension of the Canada Central Railway; and if so, when?

Mr. LANGEVIN. It is not the intention of the Government to do so until the state of the railway business warrants it.

### INTERNATIONAL PARK AT NIAGARA.

Mr. HUNTINGTON enquired, Whether any negotiations are progressing regarding the proposed International Park at Niagara; and if so, what is the nature thereof?

Sir JOHN A. MACDONALD. There are no negotiations progressing; but the Government is in anticipation of legislation at Albany during the present Session of the State Legislature.

#### NEWFOUNDLAND AND CONFEDERATION.

Mr. GAULT enquired, Has the Government had any correspondence during the past twelve months with the Government of Newfoundland with a view of bringing that Island into Confederation with the Dominion?

Sir JOHN A. MACDONALD. They have had no such correspondence.

#### SOUTHAMPTON MAIL SERVICE.

Mr. GILLIES enquired, Whether it is the intention of the Government to extend the evening mail service from Walkerton to Southampton; and if so, when?

Mr. LANGEVIN. It is not the intention of the Government to do so.

#### RED RIVER BRIDGE.

Mr. SCHULTZ enquired, Whether it is the intention of the Government to remove the piles of the temporary bridge across the Red River upon the completion of the permanent swing bridge?

Mr. POPE (Compton). It is.

#### EXPENDITURE BY MR. ANNAND.

Mr. BORDEN enquired, Whether the following extract from "Remarks" under date 30th October, 1880, contained in page 100 of the Auditor General's last Report: "For the expenditure by Mr. Annand, of the London, England, Office amounting to £495 10s. 7d. stg., no details nor vouchers have yet been furnished," correctly represents the facts?

Mr. POPE (Compton). They do not correctly represent the facts. The vouchers for this sum were transmitted from the Department of Agriculture to the Audit Office in a letter dated the 22nd November, 1880, in reply to the Auditor's letter of October 30th, but it does not appear in the Auditor's report. I may add that there is no complaint whatever made with respect to Mr. Annand's conduct in that settlement, and I think it is unfortunate that there should be placed in the Auditor's—

Some hon. MEMBERS. Order, order.

Mr. BLAKE. I rise to order. This is not debateable.

Mr. POPE. I am not debating it. It is put there—

Mr. BLAKE. I rise to order.

#### NEGLECTED AND DESTITUTE INDIANS.

Mr. PLUMB enquired, Whether the attention of the Government has been called to articles in the *London Free Press*, of the 2nd, 7th and 8th insts., alleging that the Indians in the vicinity of the town of Sarnia have been utterly neglected and are in a state of destitution, and whether it is the intention of the Government to cause an enquiry into the truth of the allegations?

Sir JOHN A. MACDONALD. The attention of the Government has been called to these articles. They have, in fact, been transmitted to my department. I shall, of course, make enquiry into the truth of these allegations.

#### RAILWAY AND TELEGRAPH MATERIALS MANUFACTURED IN CANADA.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolutions:—

1. That it is expedient to provide that the Governor in Council may, from time to time, make regulations:

(1) For ascertaining the quantities and values of fish plates and other fastenings, spikes, bolts, nuts, and iron bridges, manufactured in Canada and used by the Canadian Pacific Railway Company in the original construction of the Canadian Pacific Railway, as defined in the Act 37 Victoria, Chap. 14, and also the quantities and values of all telegraphic apparatus manufactured in Canada and used by the said Company in the original construction and first equipment of a telegraph line in connection with the said railway:

And for ascertaining the persons in Canada from whom such fish plates and other fastenings, spikes, bolts, nuts, and iron bridges, and telegraphic apparatus, respectively, have been procured by the said Company.

2. That the Governor in Council, with the assent of the Treasury Board, and on such terms and conditions as may be thought proper, may pay over to the persons in Canada from whom such articles as aforesaid, manufactured in Canada, have been procured, sums of money not exceeding the amount of Customs duty which would have been payable on such articles respectively, if imported into Canada at the time they were so procured by the said Company.

He said: I will call attention to the fact that there are certain articles named in the contract, for instance steel rails, that are not named in this resolution. They are made free until 1883. There are articles not manufactured in the country for telegraphic purposes, not included in these resolutions. I hold in my hand a statement, a copy of which, I think, was handed to the leader of the Opposition, by the Minister of Railways, as to the probable amount of duty that will be paid on those articles, and from that memorandum I will read:

CANADIAN PACIFIC RAILWAY, PROBABLE AMOUNT OF EXEMPTION FROM DUTIES UNDER THE SYNDICATE CONTRACT, VALUE F.O.B. LIVERPOOL.

<i>Steel Fish Plates.</i> —Say 1,950 miles at 3½ tons per mile, 6,825 tons F.O.B. Liverpool, say £5 5s. or \$25.55 per ton, \$174,379,	
Duty 17½ .....	\$29,063
<i>Rails, Spikes.</i> —Say 2,000 miles at 3 tons per mile, 6,000 tons F.O.B. Liverpool, say £7 10s or \$36.50 per ton, \$219,000.	
Duty ½ cent per lb. and 10 per cent. <i>ad valorem</i> .....	89,100
<i>Cut and other Spikes.</i> —Say 100 tons at say \$37, \$3,700 at ½ cent per lb. and 10 per cent <i>ad valorem</i> .....	1,490
<i>Rail Joints, Bolts and Nuts.</i> —Say 2,000 miles at 90 tons per mile, 1,800 tons F.O.B. Liverpool, say £10 or \$46.67 per ton, \$87,606. Duty 30 per cent. ....	26,281
<i>Other Bolts and Nuts.</i> —Say 800 tons at \$46.67 per ton, \$37,336 at 30 per cent. duty .....	11,200
<i>Materials of Wood.</i> —Say to be purchased on line of railway .....	
<i>Wire.</i> —Duty 15 per cent .....	17,688
<i>Telegraph Apparatus.</i> —Say 200 instruments at \$100, cost \$20,000 Duty 30 per cent .....	6,000

That is the result, supposing the whole of those articles should be manufactured in this country and the drawbacks paid. But it is quite clear that, so far as the materials required for the British Columbia end of the road are concerned, we cannot expect to manufacture them in the Dominion. The expense of transmitting them to British Columbia, until the railway to that Province is completed, would be great. Under any circumstances, no doubt that portion of the materials required for the road would be brought in under the terms and conditions of the Act. It is, I think, properly agreed that, as to any of those articles manufactured in the country, the manufacturer should, under the contract with the Company for the first construction of the road, receive an amount not in excess of the duty that would be paid on them were they imported, the Government taking the power to fix their probable marketable value had they been imported, and the rate of duty they would have paid under the circumstances—the object is to fix the drawback to be given at an amount not exceeding the duty.

Sir RICHARD J. CARTWRIGHT. The hon. Minister has not included, so far as I can recollect, the value of the iron bridges, which may amount to a very considerable item. The character of the North-West country is such that, although in other respects railways through it may be constructed with extraordinary cheapness, there will, undoubtedly, be a very considerable number of gullies to cross, and in some cases the bridges must be made of iron. So the total amount of duties to be refunded may be very much more than the House or Minister contemplates.

As to the general principle of the proposal, I call attention to the fact that it involves the direct payment of bounties, neither more nor less. The precedent thus to be established is one of very great importance. In some respects I, individually, would prefer to see bonuses given to protective taxes, but for this reason only: the country would know what exactly the protective system costs it; but that has not been the guiding principle of Ministers. If this system were adopted and the resolution carried out, it would undoubtedly astonish and probably alarm even the most strenuous advocates of Protection. The duty is, I think, 25 per cent. on iron bridges.

Sir LEONARD TILLEY. Yes.

Sir RICHARD J. CARTWRIGHT. This iron bridge over the Ottawa, above the Chaudiere, cost, I think, \$300,000 or \$400,000, and the duty amounted to \$75,000 or \$30,000. I merely raise the question in order that the House may clearly understand what it is about. It appears to me seriously objectionable for two reasons: first, that we do not know what amount of cost will be involved; and, in the next place, it is a direct application of the system of bounties.

Sir LEONARD TILLEY. This calculation is made as for 800 tons of either bolts or nuts, required for the construction of wooden bridges. There has been no statement made with respect to iron bridges, because it has not been decided whether the Company will build iron bridges or not, although, if they do so, the desire of the Government will be carried out. We, therefore, do not know the probable cost of such bridges. It was stated by the Minister of Railways, in the discussion on the subject, speaking of the arrangement made by the late Minister of Public Works as to the railway along the north shore of Lake Superior, there was no provision made for a single iron bridge. It was, therefore, uncertain, at the present moment, whether the Company would build iron bridges at all, and if so, what rivers would be spanned by them. The allowance would amount to 25 per cent. on all bridges built in the country. Iron bridges for British Columbia would require to be shipped from England. If bridges were built here the country would receive 17½ cents duty on the iron entering into them, and the difference would thus be the amount between that rate and 25 per cent. on the manufactured article, and the compensation for that loss of revenue would be the employment given to the people and the encouragement of the industries of the country.

Mr. MACKENZIE. It is not further from Halifax to British Columbia, by way of Cape Horn, than it is from England.

Sir LEONARD TILLEY. Practical men say that iron bridges could be as easily sent from Canada as from England.

Sir RICHARD J. CARTWRIGHT. The hon. Minister of Finance has stated that the only difference in regard to the duty on iron bridges is the difference between 17½ and 25 per cent., inasmuch as the Government will collect 17½ per cent. on the iron. That is true as to the raw material, but the hon. gentleman should be able to inform the House what proportion of the total cost is represented by the raw material. Such structures involve a great deal of work unless, indeed, the Company should bring in the bridges in parts and simply put them together in this country.

Sir LEONARD TILLEY. If bridges in pieces were brought in under the present Tariff a duty of twenty-five per cent. would be levied, except on some portions not made in the Dominion which, would be admitted at a lower rate.

Sir RICHARD J. CARTWRIGHT. What estimate does the hon. Minister make as to the relative value of the raw material? Will the value of the raw material amount to one-third of the value of the structure?

Sir RICHARD J. CARTWRIGHT.

Sir LEONARD TILLEY. I think the raw material will be equal to one-third, probably three-fourths.

Mr. BLAKE. When spikes are imported will the duty be levied on the bar iron or on the spikes?

Sir LEONARD TILLEY. The duty will be paid on the finished spike.

Mr. CASEY. This is a valuable admission on the part of the hon. Minister of Finance. We have always been told that the consumers did not pay the entire amount of duty imposed for protective purposes. Now the hon. gentleman admits that the manufacturer does gain by the whole amount of the duty, and if it were removed he would just be where he was if no duty had been put on.

Sir LEONARD TILLEY. The manufacturer has to pay on the raw material while the English manufacturer has not.

Mr. PATERSON (Brant). I wish to point out that if the manufacturers of iron bridges are treated as some other manufacturers have been treated, they may enter into contracts based on this resolution only to find that by some regulation or Order in Council they could not get the drawback upon what they depended, and a great injustice might be done to them in that way. I think we ought to know whether there is a mere temporary expedient to tone down the ire of the manufacturer, or whether it is a regulation which will be fairly and permanently carried out. I have frequently called the attention of the Government to the fact that from \$3,000,000 to \$4,000,000 worth of manufactured goods have been exported from Canada upon which the Government agreed to give drawbacks, but upon which, although the Tariff has been in force twenty one months, drawbacks have not been paid.

Mr. BOWELL. I am inclined to think that the hon. gentleman is like a good many others, who are constantly demanding that drawbacks should be allowed to their friends, but who fail to look into the facts connected with the demands they make. Neither the Government as a whole, nor any of the departments, have made arrangements with which it is impossible to comply. With regard to the instance to which the hon. gentleman refers, no claim has yet been made to the department or to any of its officers upon which it would be possible to come to a correct conclusion as to the amount of the drawback which should be paid upon those articles for which drawbacks are allowed. If my hon. friend knew that among the demands made are demands for drawbacks upon pig iron and iron purchased in Londonderry, he would see how difficult it is for the department to satisfy these parties. There is not in the demand to which he refers a single paper or document upon which it would be possible for any accountant to come to a correct decision as to the amount of the drawback which should be allowed. In the last interview we had with the gentleman in question, he admitted that a portion of the articles were manufactured in Canada, and yet he demanded a drawback; and when he is refused, he says it is impossible for him to comply with the regulations, and he always finds a defender on the floor of this House ready to condemn the Government for not distributing the public money merely at the demand of those who ask for it. The regulation is as simple as any regulation can well be. The manufacturer is asked to lay before the department the amount and the cost of articles imported, as raw material, and which articles have gone into manufacture. Upon a reference to the Tariff the amount of duty he has paid is easily ascertained, and then, upon evidence being received that the articles have been exported, he gets the drawback. The Government has been desirous, and I may say over anxious, to meet the just views of the manufacturers; but I do not think that even my hon. friend

from Brant would justify the Government in paying these drawbacks out of the public moneys without proper data for such payments.

Mr. PATERSON (Brant). The hon. gentleman thinks that every time I speak upon this subject I have reference to a particular claim.

Mr. BOWELL. I know you have.

Mr. PATERSON. The hon. gentleman is mistaken. I have several times spoken of the general fact that three or four millions dollars worth of goods have been exported upon which the Government pledged themselves to give drawbacks, but upon which no drawbacks were paid. I moved for a return to show the names of the firms exporting these goods, but when it was brought down there was a rather curt note appended, saying that as rejected claims were not a matter of account they could not be given. I submit that this is not a proper way in which the business of the country should be transacted. I think, in the face of this fact, the position I take is a strong one, and it does not lie in the mouth of the hon. the Minister of Customs to ask me whether there has been a claim presented by those individuals. I venture to say this: that there are far more claims than the one he would lead the House to believe has been the only one. He has the means of knowing; I have not. I took steps to find out and I was told that no record was kept. I would ask him whether there have not been many more claims than those whose demands have been satisfied. He says, with reference to that claim, that he had put in Londonderry pig iron along with his other pig iron; that the boiler tubes were a manufactured article while the pig iron was not. Here, to-day, we have a direct contradiction of that statement. We have the hon. gentleman telling us that pig iron is a manufactured article in Canada as well as the article of boiler tubes. Yet, forsooth, the Ministry have adopted a system of regulations whereby they will give a drawback on pig iron which is manufactured in the country; while boiler tubes are not manufactured in the country and no drawbacks shall be given on boiler tubes, because, they say, these are manufactured articles and pig iron is not. Why, the whole thing is an anomaly. The whole thing is in such a shape that it is impossible for men to get their rights. Take it again with reference to this bounty to bridge manufacturers; if carried out it is giving to them the whole claim that can be preferred by any manufacturer in any direction. Why, under this regulation the iron bridge manufacturer will get by way of bounty the total amount of duty on pig iron that enters into the construction of that bridge, whether made in Londonderry or made in foreign countries, because it is the amount of duty that would have been paid on the manufactured articles that he gets back, the finished article; so that under this heading he is giving to the bridge manufacturer, about the only ones who supply material to the Syndicate, a drawback of the full amount of the material that enters into the construction of their work, whether that material be made in Canada or in any other country. There is another point upon which I would ask him to draw a straight line. I want him to understand that I am not speaking in reference to the claim of the one firm that has been referred to. Neither have I gone into the question of the alarming decrease of our export trade, a decrease which ought to be a subject of alarm for the Ministers. There is no argument more telling against their National Policy. If they would strengthen their position they must look into this question, and if they would not destroy their export trade they must take steps whereby the matter will be better arranged in the future. Again, I point out to the hon. Ministers that the resolutions now before the House give, by way of bounty, what would be given, by way of drawbacks, on all the material

entering into the construction of their work, whether made in the country or out of the country, and yet he gives no drawback on iron manufactured in Canada, though it is a raw material, and he cares not whether he may injure or cripple the export trade thereby. With reference to the claim I mention, I did not intend to allude to it personally, but I intended to go to the hon. Minister himself, who is always so courteous in his department, and point out to him that it ought to be recognized. But I now deal with the general principle, and I am pointing out how it is affecting the whole export trade of the country.

Mr. BOWELL. It is quite evident that the hon. member for Brant (Mr. Paterson), is a protectionist, but having voted for all the Free Trade motions that were ever presented, is now trying to make his peace with the manufacturers in his own county by advocating a drawback on articles which no Government ever contemplated allowing. The hon. gentleman has, with a good deal of tact, mixed up articles actually manufactured in this country—the pig iron of Londonderry, the tubes manufactured in the United States, and the saws manufactured somewhere else—and has then attacked the Government because they do not pay a drawback on the whole. I have always been under the impression, and, I think the manufacturers of this country understand it very well, that if a drawback is to be paid, it is to be equal to the duties paid on the article which goes into the manufacture; yet he condemns the Government because we refuse to pay a drawback upon an article manufactured in the country itself. That is the position my hon. friend took a few minutes ago.

Mr. PATERSON. If it is raw material.

Mr. BOWELL. How can you pay a drawback upon an article which never pays any duty?

Mr. PATERSON. How are you going to do with this bridging?

Mr. BOWELL. That is for special purpose.

Mr. PATERSON. Oh! that is an easy way of solving the difficulty.

Mr. BOWELL. My hon. friend may fancy that "oh!" means argument. The hon. gentleman ought to know that these resolutions were not even proposed when the regulations were adopted.

Mr. PATERSON. I do not blame you personally.

Mr. BOWELL. I take it for granted the Government is responsible for what I have done, and have approved of it in every instance, so far as they are cognizant of it. But I find fault with the hon. gentleman, because he says that regulations have been adopted which prevent manufacturers from obtaining a drawback. I challenge him to prove it. The resolutions proposed by the Government are so simple in their nature that no person who desires to obtain a drawback, and desires to obtain it honestly, can fail in obtaining it. I say, further, that in no single circumstance where a proper demand has been made has it been refused. We only refuse where such a demand has been made as that we have under now our notice, in which drawbacks are asked to be paid upon articles made in the country, and upon which, consequently, no duty could possibly have been paid. That is the objection I take to the hon. gentleman's position. Whether, as I stated the other night, it is proper to carry the principle of drawbacks to cover manufactured articles brought into the country, is a debatable point which I am willing to discuss with the hon. gentleman privately or in any other way. But I deny positively that the charge which has been brought against the Government by the hon. gentleman has any foundation in fact—I do not say he wilfully misstates the facts. On the contrary, I know manufacturers who have made statements that they could not get further drawbacks. When the gentleman to whom

my hon friend refers waited upon me personally, I pointed out to him the absurdity of asking drawbacks upon articles never manufactured in the country. He could not say anything further, the only answer he could give was: "We will strike them out." I say now that the Government is anxious to encourage the manufacture of every article that is being exported to the fullest extent, but manufacturers must keep their books in such a way as to show the department that the importations upon which duty has been placed have actually paid the duty, that the goods have been consumed, or that the article has been exported, and then there is no further trouble about it.

Mr. PATERSON. The hon. gentleman says that I am trying to make my peace with the manufacturers. I am doing nothing of the kind, but I have already contended that we ought to give a certain amount of protection to the manufacturers. I supported a Government for five years that did it, and what I ask from the hon. Minister of Customs to-day is that he will, by his drawback system, place the manufacturers in this country on the same footing they held when the Tariff of the late Government was in force. What I complain of is that these hon. gentlemen, by their Tariff, have hampered and placed loads on the backs of the manufacturers of this country. When they grant the full amount of the drawback, they are only placing the manufacturers on the same level, and giving them the same amount of protection that they enjoyed under the late Government.

Mr. HESSON. The hon. member for South Brant appears in a new *role*. I had not the honor of a seat in this House during the time of the late Administration, but I remember that within the walls of this Chamber, within my hearing, the hon. gentleman used entirely different language about the manufacturers of Canada.

Mr. PATERSON. Never.

Mr. HESSON. They were described by the hon. gentleman and others on that side of the House as bloated monopolists who were going to rob the poor people of this country—as the few who were to be enriched at the expense of the many. To-day the hon. gentleman stands up and delivers what I shall consider a National Policy speech. We know that his record and his votes for the past five years have been different; but if he were indeed a National Policy man, supporting the true interests of this country, I think he would be on this side of the House. I think the hon. gentleman's proposition as to these tubes being entered as raw material is entirely inconsistent with our duty to the manufacturers and laboring classes of this country. If we are to give employment to our own people, it is certainly not to be done by importing tubes which can, and ought to be, manufactured in this country.

Mr. KILLAM. The hon. Minister of Customs asks how a drawback can be paid on an article that pays no duty. I can inform him that the hon. Minister of Finance professes to do so in the case of ships and ship materials.

Resolutions reported, read the first and the second time, and agreed to.

#### PETROLEUM INSPECTION ACT.

Mr. MOUSSEAU moved the third reading of the Bill (No. 75) to amend the Petroleum Inspection Act, 1880.

Bill read the third time, and passed.

#### DOMINION LANDS ACTS.

Sir JOHN A. MACDONALD moved the second reading of Bill (No. 77) to amend the Dominion Lands Acts.

Bill read the second time.

Mr. BOWELL,

(In the Committee).

Sir JOHN A. MACDONALD said, with reference to the 4th section, that it was intended to enable the Governor in Council to sell tracts of lands to people who desired to purchase them for the purpose of establishing settlers thereon. Several persons of wealth and standing were willing to invest their money on lands in the North-West, and to send over tenants to settle on them. He was in hopes there would be a very considerable immigration from Ireland; he knew there would be a large immigration from Scotland. It was important that those who were willing to send out immigrants should know where they were to be settled, and that arrangements should be made for their reception. There was a clause in the Act of 1879, saying lands shall be sold at \$1; there was no reason, if it was worth more, why land should not be sold higher. This did not interfere with the homestead settlement.

Mr. MILLS. By the provisions of this section, there will be nothing to prevent the Government leasing a section to one party and selling the fee and granting title in free and common soccage to another.

Sir JOHN A. MACDONALD. No; this power is taken.

Mr. MILLS. Is it the intention of the hon. gentleman to enable parties to bring out settlers to certain North-West lands, who may take leases from the Government, while someone else is invested with the deed?

Sir JOHN A. MACDONALD. No. The reason why the word "lease" is inserted in the clause is that there are now applications for grazing sections, with which we desire to deal properly. We do not, as yet, from our knowledge of the value of those grazing lands, know whether it would be wise to sell them in large tracts. Of course, where tracts are arable a different policy would be required. But where the land is best adapted for grazing, large quantities would be wanted to form anything like the grazing farms in the United States. We are not yet able to tell the value of those lands, and so we provide for leasing them. We intend providing that leases for land used by graziers may, in a few years, should it be found arable, be ended.

Mr. BLAKE. I do not see that it is necessary to do what is proposed, because the 8th section of the Bill gives the Government all the power necessary in regard to leasing that the hon. gentleman desires and refers to.

Sir JOHN A. MACDONALD. No.

Mr. BLAKE. Yes. All the power desired and described is granted.

Sir JOHN A. MACDONALD. I intend to speak of mining lands and forest lands which we might not desire to sell.

Mr. BLAKE. As to mining lands and wood lands, if their disposal should be by rules and regulations to be submitted for the approval of Parliament, it would be well to say so; for by this Bill it might appear that the Government may, if it wishes, lease arable lands in that territory. I think it would be better in the last degree to adopt the policy of not leasing arable lands which should, instead, be sold outright.

Sir JOHN A. MACDONALD. There may be something in that view.

Sir RICHARD J. CARTWRIGHT. The hon. gentleman takes power to sell tracts of 100,000 acres, or more if he pleases—there is no limit. Under the clause the Governor in Council can sell all the land in contiguous blocks. That is a power we never contemplated giving the Government. I think it is very much to be regretted that a Bill proposing this power should have been brought in so late, for it involves the reversal of our entire land system. It may very materially affect, if extended to railway companies,

the whole terms and conditions under which the House supposed it was dealing with the question of grants to the Canadian Pacific Railway itself.

Sir JOHN A. MACDONALD. The grants to the Canadian Pacific Railway we provided for in this Act. I think the House and Parliament might be inclined to trust the Government with the power that is absolutely necessary in order to attract emigration to the North-West on a large and systematic scale. To attract this European emigration you must give people with money inducements to assist in the work. The majority of the emigrants would not be able, perhaps, to pay their own way to that region, or only with difficulty, and, in order to enable them to come out, there must be some such confidence and trust in the Government as will enable it to make arrangements with persons who might advance the passage money to those people to help them out to settle in the North-West. There is no other way of doing it but by giving the Government some such power. It has been thought advisable that the power of leasing lands should be reserved to a certain extent with regard to mill sites, grazing lands, and some other lands, which it might not be advisable to sell at first. I quite agree that this provision as a general rule would not be a wholesome one. No Government would willingly introduce a system of leasing rather than a system of sale. I think that any and every Government, however, could be safely trusted on this point.

Mr. BLAKE. The hon. gentleman will observe that the second sub-section of clause thirty deals with this subject of water powers, mill sites and stone quarries, which may be disposed of on such terms and conditions as may be fixed by the Governor in Council. If it is decided that these are to be leased, let them be leased, and let there be a general power to lease them. We find, however, that whenever the First Minister comes to explain any of the clauses of the Bill, there appears something behind that does not apply to the main subject of the clause.

Sir JOHN A. MACDONALD. Well, in order to meet the views of the hon. gentleman (Mr. Blake) I will agree to strike out of clause thirty, the words "or lease" as applied to the disposal by the Government of Dominion lands, which can be therefore always sold if desired.

Mr. MILLS. Without such an amendment it might be said the Government of Canada desired to introduce such a state of things as prevails in Ireland, leasing to the poor and selling to the rich.

Mr. BLAKE. When we get down to the provision in clause thirty:

"Provided also that except in special cases where otherwise ordered by the Governor in Council, no such purchase of more than a section, or 640 acres, shall be made by the same person: Provided further that where deemed expedient by the Governor in Council such purchase shall be restricted to the odd-numbered sections in each township."

That indicates that unless the Governor in Council takes special action, the rule is, that the purchaser shall not be restricted to the actual number—that it requires special provision to restrict to the odd number. Why is that?

Sir JOHN A. MACDONALD. For the purpose of giving the Governor in Council power to restrict to the odd number sections the right of purchase. There is nothing in this present Act reserving the even number. It is considered that most likely the Government will have a policy subject to the approval of Parliament, to provide that the even numbered sections should be held for homestead purposes, and that if the Governor in Council should declare that purchasers shall be restricted to the odd numbers that they shall be so restricted.

Mr. BLAKE. Would it not be better to alter the phraseology, so as to declare that unless the Governor in Council should order to the contrary, the purchasers

should be restricted to the odd numbered sections in each township?

Sir JOHN A. MACDONALD. It comes to the same thing.

Mr. BLAKE. No. You are laying down a policy that it is expedient to make those restrictions, unless the Governor in Council should see it expedient to depart from that rule.

Sir RICHARD J. CARTWRIGHT. As to the general matter, I desire to enter my protest individually against this system, because I am perfectly convinced that these attempts to bring in large bodies of people, in the fashion presented, will end as such attempts have ended before, in far fewer being brought out than the Government imagine, and in large tracts of land falling into the hands of individual purchasers. Prince Edward Island is a case in point. The island was divided into twenty or thirty blocks about the size of three in the North-West Territory. Stringent conditions were imposed upon those who got the grants; they were to bring out a considerable number of associates and to incur a considerable expenditure; they were, if I remember aright, to make some roads and erect some buildings. But we all know that the conditions were not fulfilled, that only some few people were brought out, and that the land lapsed into the hands of proprietors whose proprietary rights were subsequently commuted after interminable delay and trouble. The same thing will occur in this case. We will find parties professing to come within the Government terms and partially fulfilling them, but the result will be that large tracts will fall into the hands of individuals.

Sir JOHN A. MACDONALD. The case of Prince Edward Island which the hon. gentleman has mentioned, is by no means analagous. There the landed proprietors were almost in the position of seigniors, settled on large tracts of lands which they held in fee simple. The whole idea was one of tenantry, of annual rental, and that is not what is contemplated here. It is not intended to have large continuous tracts of land, and I think, when it is considered that that country is as large as all Europe, it will be seen that there is not the slightest danger of a monopoly in land. It is well known that German and Scandinavian immigration depends largely on the power being given to those people, by agents or otherwise, to come and see the localities beforehand, as they have done in the north-western States. Then large tracts of land are selected in advance, and then they come in large bodies, bringing their clergyman, their doctor, so many mechanics, so many agriculturists, and unless they are allowed to settle together in that way they will not come at all. Perhaps, in the case of German or Irish or any other immigration, it would be better to have the different races scattered throughout the territory, so that by degrees they might amalgamate, and become, in the end, Canadians; but the first thing to do is to get them to come, and if they will not come readily and scatter over the country, then we must bring them out in communities. To do that these people must have persons to lead them. In Germany for instance they form parties who club purses and send out an agent or trustee to make the purchase of land for them. From England and Scotland such parties might be brought out by persons of capital, from benevolent motives, or by landlords for instance, who might desire to remove their tenants from the superabundant population of those countries; and it is only by providing these means that such immigration can be secured. I find that that feeling operates so strongly even in Canada, that we have frequently applications from forty or fifty or sixty young farmers or others in a particular county in Ontario for a tract of land, so that they might all settle together. At present we cannot accommodate these parties though it

would be desirable to do so; and it is absolutely necessary, if we are to settle that country, that provision should be made for the settlement of communities like these.

Mr. BLAKE. The cases which the hon. gentleman puts before the House are provided for in section 6 and subsequent sections, which are specially directed to meet the requirements of those who wish to select lands in advance and settle together. But they do not involve the proposition which is made in this particular amendment, and by which individuals may acquire large tracts of land, which they may cultivate, or, as landlords, lease it to others, or, as vendors, sell it at a profit. It seems to me that the only condition in which this land should be disposed of by large sales, should be actual settlement, early settlement, and settlement in which the occupant of the property shall be its owner. I, therefore, do not see that the hon. gentleman has made any case, that he has given us any reason why this law should be altered in the particular in which he now proposes to alter it.

Sir JOHN A. MACDONALD. The party must be allowed to purchase, and the Government must have the means and the authority to make returns of the articles purchased. No Government in this country would be so foolish, and would run so contrary to the spirit of the country, as to grant large tracts of land, uninterrupted and continuous sections of land, giving the purchaser unlimited power to form a tenantry, or to a middleman to sell it at a profit. No Government would do that. But in order to induce individual capitalists to go in and purchase under conditions to be laid down from time to time, as the requirements of the country call for, and as the alterations of the circumstances from time to time call for, it is necessary that we should have this power, and I ask the Committee to entrust the Government with it.

Mr. MILLS. I think it unfortunate that the hon. gentleman should ask for the power mentioned in this section, and also that he should have resisted the policy which is provided for in the subsequent sections of the Bill. I am satisfied, from my short experience there, that the attempt to induce persons of capital to come out and take possession of large tracts of land with the expectation of their being settled, will always hinder the settlement more than it will promote it. From my experience I came to the conclusion that the sooner we ceased all attempts at reservation the better it would be in the public interest. It will be remembered that west of Red River seventeen townships were set apart for Mennonite settlers. I have no hesitation in saying that a larger number of people from Ontario, Quebec and the Maritime Provinces have been turned away from Manitoba, and have gone into Dakota and Minnesota, than would have settled that country. Instead of gaining anything by the Mennonite settlers, in so far as the occupation of the country is concerned, we have really lost by it. The hon. gentleman dissents from that view, but I have no doubt of its accuracy, and I am satisfied that to-day, between Grand Forks and Manitoba boundary, there are a larger number of Canadians settled in Dakota than of Mennonites in Manitoba, and that the larger number of those who, for the first two or three years, went to Manitoba, left there because they could not get possession of the lands which were reserved for people whose occupation of the lands was extremely doubtful. The same thing may be said in regard to almost every other reservation in that country. I am convinced that if the hon. gentleman were to give up the idea of granting large tracts of land as an inducement to secure a settlement, and would throw open the country to actual settlers of the soil and to any person who would come and take possession, he would do much more to promote immigration than by all other schemes combined. We know what the consequences have been in other

Sir JOHN A. MACDONALD.

parts of Canada where large tracts of land were given to companies, that, instead of settling it early they have stood in the way of its settlement, and many sections in Ontario would have been settled a quarter of a century earlier were it not for the impediment of the Canada company. Railway corporations are in a different position, because they have a special interest in promoting settlement in order to obtain traffic for their roads. But that does not apply to any other parties; it does not apply to private parties seeking to get possession of large tracts of land; and the hon. gentleman is, in my opinion, providing by this and other sections of his Bill, to fasten upon the North-West Territories a very vicious system; and one which will do infinitely more to impede settlement than to promote it.

Sir JOHN A. MACDONALD. The only consequence of the hon. gentleman's plan will be that that country would be settled only by people who came there with their own money and select their lot of land, and no man would be assisted to settle who would be very glad to do so and who would do so with a little help. We would have a very few wealthy land holders, but we would not have the masses. What we want is to secure the settlement of that country, not only by wealthy men, but by great numbers of those who, though they may be paupers in their own country, if they were assisted a little would become valuable settlers in our North-West. Of course, if there are no restrictions upon purchasing and if we saw an evil growing up there Parliament could quickly interfere and prevent that evil from extending. We must now use every effort possible to get every person, whether he is a poor man or whether he has money, to come into this country, and run the risk of his taking 2,000 or 3,000 acres. There is no necessity of our running that risk, because we cannot provide that parties must state their intention of sending out immigrants to occupy these lands. They must agree that these lots shall be settled within a particular time, otherwise they will lose their lots and get back their money.

Sir RICHARD J. CARTWRIGHT. All that has been tried again and again and again, with the same results.

Sir JOHN A. MACDONALD. With the most successful results.

Sir RICHARD J. CARTWRIGHT. With the most unsuccessful results. We have heard before about assisting persons without means to come out to this country, and under cover of that, placing large tracts of land in the hands of certain private parties. I do not doubt at all that there are in England and Ireland at this moment some benevolent individuals who would be willing to do this for the benefit of their tenantry or their country generally. But there is always a considerable number of people who are extremely desirous of becoming possessed of large tracts of land in our North-West country, and who would go out of their way for the sake of acquiring large territories there, and who would no doubt agree to comply with all the stipulations the Canadian Government choose to impose with the intention of reserving large tracts of land ultimately in their own hands, as they could easily do in a hundred ways. We could grant a quantity of land which we would consider insufficient for a family and which would appear to those people to be a considerable quantity. They will make grants of small portions to settlers, while they will retain all the remaining portions in their own hands. I know that is intended to be done. I know that there are parties who, under cover of such a clause as this, will go in at once. I have had communication with some of them myself. I was asked the other day by a gentleman in England to select several sections to be purchased for the benefit of a god-son of his, who had, I believe, just come into the world, and which were to be given to him when he became twenty-one years of age.

On clause 5, providing that a person obtaining a homestead entry shall be liable to the forfeiture thereof should he not become a *bona fide* occupant of the land so entered within two months of the date of entry.

Sir JOHN A. MACDONALD. The question with me is: how long a time should be fixed between the entry and the occupation? I do not think it should be longer than ten or twelve months.

Mr. MILLS. The hon. gentleman should make the time uniform. Two months is far too short. In many cases, persons go from Ontario and Quebec to the North-West only in the spring, as agents for their neighbors and other persons who contemplate taking up land; they afterwards remain on their old farms until their crops are taken off and they can dispose of their property; and, perhaps, late in the fall they move to the North-West. It is very desirable that we should have a Canadian immigration into that country. American emigration from the Eastern States is what has Americanized the foreigners who have settled in the Western States; and if we expect to have a united people, we must have a Canadian emigration to the North-West. What ver time is fixed for persons coming from abroad should be fixed for our own people; because it is sometimes easier for a person coming from the old country, who has little or no property to dispose of, than farmers from the older Provinces, to take up land in the North-West Territory. Usually, he goes in the spring and makes his selection, but does not move in until the fall, or if he makes his selection in the fall he does not move in until the winter is over. Two months is certainly not sufficient time.

Mr. CAMERON (Huron). The hon. gentleman should make that period at least four months. When up in the West, last fall, I heard of several cases of great hardship where parties had entered on their homesteads, and their claims were what is called "jumped."

Mr. BLAKE. The very best and most provident settlers are those who take the trouble to go over and look into the country before they part with their farms here. If they can suit themselves, they must have sufficient time to dispose of their farms and stocks here; otherwise you will deprive yourself of a most valuable class of settlers, as they will not be able to sell their farms and stock profitably and go up there with their families within a period of two months. I should say six months would be the proper time.

Mr. TROW. In corroboration of the statements made by the hon. member for Bothwell, I may add that in a little village near Stratford, called Shakespeare, I induced some fifteen families to move out to Manitoba. The heads of these families went out last spring and took homesteads, returned, and are now about to start out again with their families, after having been out of the country about six months. If only two months be allowed, they will lose their property.

Sir JOHN A. MACDONALD. Two months are too short, and connected with that infamous system of "jumping" claims there have been cases of hardship, some of which have come within my own cognizance. But I take it, if an immigrant goes up in May, he will not return in November, six months later. I think four months is quite enough.

Sir RICHARD J. CARTWRIGHT. The hon. gentleman must pay some regard to the condition of the roads over an immense portion of that country. According to all the information we have, and the information I received when there last year, you really cannot travel so as to make a proper selection of land until July or August. The consequence is that going up in these months, the farmers

will rarely be prepared to settle with their families until the next spring.

Sir JOHN A. MACDONALD. I move that the word "six" be substituted for the word "two" and that the clause

"Provided that the Governor in Council may, in the case of immigrants, or of persons desiring to settle near each other, vary the above rule, as may be deemed expedient, but in no case shall a longer period than month be allowed between the date of entry and the due occupation of the land, and the occupant shall thenceforth continue to occupy and cultivate the same as hereinafter provided."

be altered by substituting for the words "in the case of immigrants or of persons desiring to settle," the words "in case of intending immigrants or of persons from abroad desiring to settle," and the period in blank made twelve months.

Agreed to.

Mr. MILLS. Does the hon. gentleman intend that those persons shall, as a guarantee of good faith, pay the entrance fee?

Sir JOHN A. MACDONALD. Yes. Representations were made to me in England that the fee should not be exacted, but I concluded that unless it were, persons would enter their names for speculative purposes only.

Mr. MERNER. A man going to the North-West cannot reach it in spring, but only in the fall, and by the time he gets there, looks at the land and returns, the winter is at hand; so he cannot leave to settle in the North-West before the following spring. Even for emigrants from the old country, twelve months is too short. There ought to be two years allowed.

Mr. CHARLTON. I desire to ask the First Minister whether he intends to provide that the residence upon a homestead should be continuous? Will an absence of four or six months in the year be allowed a homestead settler as in the United States?

Sir JOHN A. MACDONALD. A homestead settler will be governed by the present law. There must be a continuous residence of three years—it is five years in the States.

Mr. CHARLTON. In the United States a homestead settler may be absent six months in the year. A young man without means to bring his farm under proper cultivation, may want to work somewhere else for six months to obtain the means, and he may do so by the Homestead Act, if he has complied with the settlement duties.

Mr. BLAKE. There is a provision in the Act of 1872, that if the settler is absent more than six months his right is liable to forfeiture.

Sir JOHN A. MACDONALD. Frequent applications are made for leave of absence in special circumstances, and the parties are always treated liberally. Persons who have gone on land and put up houses are not obliged to live on the land the year round; but the conditions to be obeyed within the three years are looked for.

Mr. CHARLTON. It would be better to have those conditions of settlement defined.

Sir JOHN A. MACDONALD. They are in the Act.

Mr. WISER. I would like to know whether parties may secure land enough in the North-West, by purchase or lease, to embark upon cattle raising and grazing on a large scale with the certainty of retaining the land for a term of years? If cattle raisers and ranchmen can only obtain small sections, I do not see how we can establish great stock farms in our country like those in the United States. I am prepared to start for Kansas in about a week to purchase cattle, and if facilities are afforded me to secure land enough in our North-West on which to pasture or feed

3,000 to 10,000 animals, I shall use them. But I must have security that I can obtain and hold the necessary land for a sufficient length of time. I should not want a million, but 5,000 or 10,000 acres that would be mine, and enough land besides to graze, perhaps, 20,000 head of cattle. The drove of Texas cattle, 267,000 head, is already begun, and these animals will soon reach Kansas on the way north. A great many are already sold, and I learn from letters from Kansas that if any of these cattle are to be got this year, they must be purchased within 30 days. I am prepared to purchase from 3,000 to 10,000 head as an experiment, if I can obtain the necessary grazing land. I could not put them at the foot of the Rocky Mountains or in the vicinity of Wood Mountain this year; but I can drive them to the Yellowstone or Poplar River and there winter them. It would take another year to take them to the feeding ground I desire. Another question I would like answered—will Canadian graziers and stock-raisers be allowed to import their cattle from the United States, where the greater portion must be obtained, free of duty? If not, that ends the business, as we cannot compete against the Americans and pay duty. I desire immediately to start between 3,000 and 5,000 cows on the road for the Canadian North-West; and if I can obtain the necessary lands by purchase or lease with a reasonable assurance that I can keep them till I mature and develop my stock, I am ready to enter into the business.

Sir JOHN A. MACDONALD. I am sure the Committee are very glad to hear the announcement made by my hon. friend. I had understood that he intended investing some of his superabundant capital in the North-West, in forming a grazing and cattle feeding establishment. I can only assure him that, so far as the Government are concerned, they will be only too glad to meet his wishes in every possible way. A gentleman in the other branch of the Legislature, Senator Cochrane, is about to go into the same kind of business. He has applied for a large tract of land in the vicinity of Bow River, which is likely to be a beautiful grazing country. Like the hon. gentleman opposite, he says he hopes this summer to put on the land a large quantity of cattle, for which he requires a large tract of land. He also wants to be at liberty to purchase a certain quantity of land for the purpose of barns and other buildings required for supporting and cultivating stock. He applied for the right to purchase 11,000 acres, which we thought a quantity too large. Perhaps half that quantity would be quite sufficient; but we, of course, recognized the fact that, in a prairie grazing country a considerable tract might be sold for a homestead, sheds, barns, stables and dividing lines, for the stock, and that the lease of a tract of land should be given, to be increased from time to time according to the size of the herd. The hon. gentleman, if going to commence with a considerable herd, should get a lease for a tract of land quite sufficient. It would be absurd to limit him in that regard. The more of those grazing farms we have in this North-West country the better. There will be an influx of immigrants into that country within the next few years, and their first requirement will be cattle. There will be no danger of too large tracts being given because of the inducements offered to settlement. Leases will be given which can be terminated by the Government on giving two years' notice. No difficulty, I think, will arise with respect to the danger of such leases being terminated for an insufficient reason. People confide in the Government every day. Timber licenses extend only from year to year, yet the holders erected mills, knowing that so long as they worked them their licenses would be renewed for ever. So it would be with respect to grazing farms. The privilege might be abused by those who obtained large tracts for a certain number of years, who might change their minds, sub-let the land, and act quite contrary to the idea on which the original lease was

Mr. WISER.

granted. The provision in the Bill is quite sufficient for that purpose. As regards the duties on cattle. All the stock used for the first herds in the North-West must come from the Western States of the Union, and for all the stock of the Eastern Province, we can find a market in England. Mr. Cochrane went to the Minister of Customs on the subject, and the latter showed the former an affidavit to bring in stock, and asked him if he could make an asseveration of that kind, and he said he would have no difficulty in doing so. If that be so, the American cattle can be taken in. Mr. Cochrane was about to establish a stock-raising farm there, and if there should prove to be, after a careful examination, some defects in the law, no doubt Parliament would take off the duty on cattle for the purpose of grazing farms.

Mr. WISER. The leases should run for a term of ten or twenty years, and the notice given should exceed two years. Parties occupying the territory should have the first right to buy the land when it is placed in the market, at an upset price of perhaps a dollar an acre. One million acres are required to feed a herd of 25,000 or 30,000 cattle. I am now joining with a party in Kansas to purchase a tract of land thirty miles wide on a river, and if we buy it, the quantity will be 40,000 acres. The land can be bought at forty cents per acre, and there is a herd of 10,000 head on the ranche. That purchase will not interfere with my affairs in the North-West. On the Kansas property there is a stream in the centre and we buy the stream. The cattle feed fifteen miles from it. Some other owner of a ranche will have cattle running fifteen miles on the other side, and the stream is called the Divide in the cattle-grazing countries. This is the plan on which the large cattle-grazing ranches of the United States are conducted. I do not know the character of the North-West country, but I propose to go and see it, and if it is entirely suitable for grazing, or for both agricultural and grazing, we must, if we put our cattle there, have the assurance of occupancy during a certain number of years. After a herd of cattle has been placed on a ranche, four or five years will elapse before they begin to give returns. Then there will be a large herd there which cannot be marketed in a day or a year, and the land should be let on leases of from ten to twenty years, terminable on three or four years' notice. This is not a political question, but one affecting the interest of the whole country. We are building railways, sending in immigrants and assisting the Indians with food supplies. For these purposes cattle were brought from the United States, but if grazing farms were established in the North-West, the supplies might be furnished by our own people. I have intended all my life, when I found myself in a position to do so, to enter into the cattle business, and I think I am now in a position to do so. I intend to start in this business in two months. My preference is for Canada, and if the Government will afford me the facilities, I will carry the business on in Canada; if not, I must go to the United States.

Sir JOHN A. MACDONALD. I do not know whether the hon. gentleman will be able to persuade the hon. member for Bothwell (Mr. Mills) to agree to his proposition. The hon. member for South Grenville (Mr. Wisser) is going to be a wholesale purchaser of land, one of the landed aristocracy of whom the hon. member for Bothwell is so frightened. Notwithstanding the strong conscientious objections which that hon. gentleman will make, the Government will endeavor to meet the views of the hon. member for South Grenville by giving the widest construction of the law for the purpose of inducing him to remain in Canada with his herds instead of going and establishing large herds in the United States. The Act gives power to the Government to grant lands on such conditions as they thought proper, and that might be a matter for settlement between the hon. gentleman and the Government. I can

assure the hon. gentleman that he will be dealt with on the most liberal construction of the law. Looking at the tariff, I find that settlers effects are admitted, with the exception of cattle, but at the same time there is the privilege, under regulations to be made by the Minister of Customs, of allowing live stock to be admitted into Manitoba and the North-West Territories free of duty until otherwise ordered by the Governor in Council, so that the hon. gentleman may rely with certainty that his cattle will be admitted into that country on his declaration that they are taken into the country for no other purpose than those which have been stated.

Mr. BOULTBEE. As the hon. gentleman (Mr. Wiser) has stated his desire of opening a large ranch in the North-West, and as the leader of the Government states that they will be prepared to meet his wishes if possible, the matter is one of considerable gravity. The hon. member for South Grenville (Mr. Wiser) says that 1,000,000 acres of pasturage will be required for 25,000 cattle, but I think there must be something technically wrong in that estimate, else we are in danger of creating one of those monopolies of which we have heard so much. Surely forty acres is not required to pasture one cow or one steer. I should think that if one-quarter or one-eighth of that quantity of land per head is not sufficient it cannot be very fertile or of very much value.

Mr. WISER. The estimate per head in the grazing regions of the United States—Kansas, Nebraska, Montana, Wyoming, &c.—is 360 acres per animal.

Mr. BOULTBEE. Why, the animal would run its legs off in getting the grass.

Mr. WISER. We do not expect that it all will be fit for grazing. It must be remembered, too, that there is a great liability to drought in which many cattle perish. In Montana and Nebraska the risk to cattle in that is from 15 per cent to 30 per cent., while it should not exceed 3 per cent. Unless sufficient allowance is made to guard against these drouths, the whole capital invested might be wiped out in one season.

Mr. BANNERMAN. I think the lands in the North-West are of so much better quality than those in Montana that one acre per animal would be a liberal allowance.

Mr. CHARLTON. I believe the losses to which the hon. member for South Grenville (Mr. Wiser) has referred as regards the cattle in Montana, etc., is due to the severity of some of the winters, for which provision is not made, and the consequence is that the cattle die of starvation. It strikes me that 360 acres per animal is an exceedingly liberal estimate, and that if we were to calculate on that basis the herds of the United States would be rather small in number. I think it will be found that even the poor bunch grasslands of the Western States will support a much larger number than the hon. gentleman has stated.

Mr. BLAKE. I think it will be found that in the territories referred to by the hon. gentleman (Mr. Wiser) the lands stretch back from the rivers, and that as the lands are almost valueless without the river the area at the disposal of some of these herdsmen is practicably illimitable. According to the estimate of the hon. gentleman the whole Province of Manitoba would only support about 350,000 head; but I hope it will support a great many more cattle than that, even if it is largely devoted to other industries in the future. This, however, is only another proof of the importance of the Government ascertaining exactly what they have in that country before giving it away. Whether the provision for cattle raisers should be adequate, and the pasturage should be given by a tenure reasonably certain to accomplish the purposes in view, enormous domains should not be leased in the first instance until we know that they are necessary.

Sir JOHN A. MACDONALD. My hon. friend is quite right. I think the hon. member for South Grenville (Mr. Wiser) was speaking of enormous spaces of country given up for pasturage and which are practically valueless for other purposes. But if we are at all correctly informed the Bow River country is a beautiful country, equal to any land in those Western States, and superior to a great deal of it; and the question is if it is so fine a country for grazing, whether it would not be suitable for arable purposes. It is for that reason that we have put in a clause providing that upon ten years notice being given, the land may be applied for the purposes of settlement as may be determined; so that if it is found that a man is occupying more land than he really requires, it may be withdrawn upon two years' notice being given. I think that is quite sufficient guarantee, as no Government would dare to deal harshly with a man who had large herds of cattle grazing and was occupying an area of country in that way. I can only repeat that the Government will permit to all reasonable extent facilities for the introduction of herds and the development of grazing.

Mr. MILLS. If Professor Macoun's report is correct, a great portion of that country is very different from Wyoming or the American Desert; it is so well adapted for agricultural purposes that very little of it will remain a grazing country. Of course, that country had better be occupied for grazing purposes than to be left a waste.

Sir JOHN A. MACDONALD. As well be occupied by cattle as by buffalo.

Mr. MILLS. It is clear the Government could not dispose of a country for grazing purposes if actually fit for agricultural purposes, because it would be much less profitable that way than if occupied by settlers. It seems to me that before the Government could undertake to dispose of the country, or to make long leases, they ought to know the character of the country as nearly as possible.

Sir JOHN A. MACDONALD. I hope that during the course of the summer we shall have a report upon that country, with reference to the water and the river streams that supply that country, with a view to the best mode of laying out the different ranches.

Mr. BLAKE. Upon what principle will the rent be based?

Sir JOHN A. MACDONALD. I suppose the rent will be so much per 1,000 acres. It would be small at first. In the United States I believe there is no rental at all.

Mr. BLAKE. I do not think there is any title there. I think the parties procure a piece of land on the river; that becomes his own and the cattle go out on the public domain.

Sir JOHN A. MACDONALD. Yes; ranchmen make a sort of arrangement among themselves. I do not think that is a wholesome system for us to introduce.

Mr. BOULTBEE. In my remarks I did not wish to be understood as desiring to circumscribe the raising of cattle in that region. I only thought as the hon. member for South Grenville (Mr. Wiser) had been sitting so long behind his leaders and hearing them talk of the North-West, that he had formed an opinion of its capabilities similar to what we are told of the Eastern States, where they hold the lambs down by the tails to reach the blades of grass between the rocks.

On the 7th clause,

Sir JOHN A. MACDONALD. Sub-section A is a re-enactment. Sub-section B provides for the settlement of Mennonites and Icelanders, to whom restricted privileges are given, also to immigrants of other nationalities, such as the Germans, etc. Sub-section C is to meet the wants of people removing from the older Provinces, and who desire to settle together for mutual aid and comfort. This is a

plan that has been suggested in a report made to Congress by a United States Commissioner. I may mention that I made enquiry at the Land Grant Department at Washington, and was informed that the suggestion of the Commissioner did not become law for want of time, but the head of the department reports that he has no doubt that at the next Session of Congress it will become law.

Mr. MILLS. There are cases where parties going to the North-West Territories and Manitoba have taken up sections, but finding scarcely any water there they have built a mile or two away, near some brook or spring, but have made improvements on their sections. There was a difficulty about their right being recognized. While they are carrying on improvements their actual residence is somewhere else. I never saw any objection myself to allowing these persons to retain their homesteads and to recognize them, although they may not be actually residing on the lands.

On clause 7, section C, providing for variation of requirements in the case of settlers forming villages,

Mr. BLAKE. Why is this applied to homestead settlers other than immigrants? I understand that it is the custom among some of the Mennonites to live together in villages or hamlets, and if it is good for our own people to settle in that way, why not for the people of the old world?

Sir JOHN A. MACDONALD. Because we cannot foresee exactly the applications which foreign immigrants may make and the nature of their requirements. They would ask for special privileges connected with their special requirements and customs.

On clause 8, containing special provision as to leases of grazing lands,

Mr. BLAKE. I do not observe that there is any special provision for selling lands in the grazing district. I suppose the hon. gentleman intends to use these powers with respect to sales.

Sir JOHN A. MACDONALD. I think so.

Mr. BLAKE. I agree with the hon. gentleman that a Government lease of grazing lands, no matter for how many years, if terminable only on two years notice, is quite as safe an instrument for the lessee as anything he could have. But that to my mind is a reason why we should alienate as little of that territory in fee simple as we can. If a man puts up buildings and makes other improvements on the land, and wants to own it, it is reasonable that he should. I do not see that so much land as my hon. friend from Grenville (Mr. Wiser) mentions is necessary for grazing purposes.

Sir JOHN A. MACDONALD. Mr. Cochrane, who has gone to England to make arrangements for bringing out a certain kind of cattle to mingle with the herds which he can get on this side of the Atlantic, asked for 10,000 acres, and said he would start with 10,000 head of cattle and run up to 300,000. I thought that 10,000 acres in fee simple was too much, and that we should not give more than 5,000 acres. We spoke of \$2 an acre as the price; but that is a matter we cannot decide upon until we get a report on the country, and ascertain what the size of the homestead—the cattle sheds, stables, and so forth—will be. If we sell 5,000 acres at a good price to a large ranchero, I do not think the country will be a loser.

Mr. BLAKE. Did Mr. Cochrane mention his own opinion as to the quantity of land required for his herd.

Sir JOHN A. MACDONALD. 100,000 acres; and he expected a large increase to his herd.

Mr. JONES. Is there any protection for men with small ranches who settle on these lands?

Sir JOHN A. MACDONALD. Although settlers of that description have no legal rights in the land, and although

Sir JOHN A. MACDONALD.

it is not well to encourage people to scatter over that immense continent on unsurveyed lands, still when people do settle down and make improvements, they have always been respected in Ontario and Quebec, and will, I have no doubt, be respected there.

On clause 10, providing for charging expenses of passage, etc., on lands of immigrants,

Mr. BLAKE. This may be open to a great deal of abuse unless the hon. Minister of the Interior sees that the whole claim, for whatever purpose, represents expenses actually incurred. I see not why the hon. Minister should take power to verify a portion of the expenses and not the remainder.

Sir JOHN A. MACDONALD said, with reference to section A, clause 10, that it was for the purpose of keeping down, as much as possible, the cost of subsistence. That should be scanned carefully to prevent abuse by agents. It would not be possible to check effectually the cost of erecting buildings, providing farm implements and seed grain; but the charges for subsistence could be checked.

Mr. BLAKE. The agents will be careful not to exercise fraud or imposition in the charges for subsistence and passage money, as these will be scanned by the Government officer, but they will do so in charges for erecting houses, &c., which will not be scanned. The right hon. gentleman, of course, anticipates imposition or there would be no necessity for the clause.

Sir JOHN A. MACDONALD. The argument of the hon. gentleman would be in the direction of striking out clause A. When the immigrant gets on his location, he will consult his neighbors as to how much they paid for their houses, implements, etc., and will thus be able to check the charges himself.

Sir JOHN A. MACDONALD moved that \$600 be made the outside figure in clause C for principal and moneys advanced against a homestead.

Mr. ANGLIN. \$400 was the amount named by the hon. Minister of Agriculture as sufficient for a family of five persons.

Sir JOHN A. MACDONALD. Sir A. T. Galt, who has been in communication with some of the capitalists and benevolent societies, suggested \$500. The Deputy Minister of Agriculture suggested \$600. Perhaps \$500 would be the better amount.

Mr. BLAKE. We have the authority of the hon. the Minister of Agriculture that \$400 would suffice.

Mr. POPE (Compton). I made no allowance for farming implements and subsistence, and besides men who gave \$100 as the amount sufficient to erect a house, would not take a contract to do so at that rate.

Mr. ANGLIN. There will be this difficulty in carrying out the arrangement, that the men who go out there will find themselves starting with a burden of debt to which other settlers are not liable. It will be an obligation on the land, to get rid of which will be a strong temptation to them to cross the border, especially as many of them will have their minds previously excited by the glowing prospects exaggerated by agents.

Sir JOHN A. MACDONALD. They will not care to leave a place where they have comfortable quarters erected for them to go over to the States where they must begin *de novo*, and where their personal responsibility would equally follow them.

Mr. MILLS. It seems to me it will invite fraud. If the hon. gentleman considers the subject, he might, with an active, careful, energetic man, who would consider the whole account or claim of the party against the emigrant, prevent fraud upon the emigrant. But what it is proposed

to supervise, without any real supervision being exercised over the whole transaction, does open the door for fraud upon the emigrant; and a few cases of hardship, where emigrants are unfairly dealt with, would be sufficient to damage the hon. gentleman's entire scheme. The hon. gentleman ought to make provision for supervising the matter altogether or abandon the provision altogether. A single officer in the North-West, active and energetic, who understood the subject and knew the value of the appliances there, could check this account, or charges of every sort made against the ingoing emigrant. No doubt very great hardships to emigrants will arise. The emigrant, if he thinks he is overcharged will remain in the house till the supplies are consumed, and then move across the border, preferring life in the States as an ordinary laborer to farming in the Dominion with a heavy debt to pay off.

Mr. BLAKE. Will the charge subsist on the homestead or land, in any shape, if the emigrant has left it? Will the person who advanced the money have the charge upon the homestead in his favor and as against any other person who may come upon it?

Sir JOHN A. MACDONALD. He will have to find a tenant for the land of course.

Mr. BLAKE. Then it is intended that this man shall not run the risk of the emigrant remaining? No matter what the fate of the emigrant—whether he lives on or departs—the creditor has a mortgage on the land?

Sir JOHN A. MACDONALD. If a house is put up and the land prepared for settlement, if one man does not take the farm another will. There will be no difficulty in getting one occupant for the place, with a house on it, for the mere cost. The man who builds a house on a lot and prepares it for settlement has a right to consideration should the emigrant go off. If the place goes to waste, the title is not given. It is in the Crown; but the Crown should treat a person who has invested money to that extent, as it would treat a homesteader, with every degree of liberty without giving him the title. If it finds the land going to waste it will resume it.

Mr. BLAKE. The plan involves, of necessity, only his making an expense in bringing out the emigrant—the subsistence and passage money, and yet the creditor may have a charge on the land. If the emigrant does not like it, he may go to the States; and then you have a charge on the land in favor of this undertaker. Suppose all that they agree on is, that the charges for subsistence money and for the passage should be made a charge on the land, and that the emigrant, after getting out, goes away—is the debt a charge upon the land?

Sir JOHN A. MACDONALD. Certainly not.

Mr. BLAKE. How does it become a charge on the land if he has built a homestead?

Sir JOHN A. MACDONALD. Even if the house is put up, the patent will not issue unless there has been occupation for three years.

Mr. BLAKE. Does not the hon. gentleman see that any settler coming upon any such abandoned lot may not only have to pay the remaining value of the house, but the subsistence money and passage money of some emigrant who may have gone to Dakota or Minnesota?

Sir JOHN A. MACDONALD. The general law is not in any way attacked or altered. It does not matter what person's money puts up the house and makes improvements, the settler cannot get the deed unless he has occupied and cultivated the lot for three years. If an assisted emigrant does not settle upon a lot the land is again free and open.

Mr. BLAKE. Suppose a house has been built upon a lot for an emigrant, who afterwards goes away, and that the undertaker on the claim urges that the patent shall not issue

in favor of some other homesteader, except on the payment of the money he has expended on the property, what will be the result?

Sir JOHN A. MACDONALD. The person advancing to the homesteader who abandons his place, stands in no better position than the homesteader himself.

Mr. SHAW. Section ten should also be made to apply to parties going from old Canada to the North-West. If a capitalist furnished money to an emigrant from Ontario or any of the older Provinces to enable him to proceed to the North-West and settle there, the lender in that case should also have a lien on the settler's property. A great many persons were leaving this country and going to the United States, to various points of which their railway fares were paid by American agents. Surely Canadians were as good settlers as any who could be placed in the North-West, and when we find so many going to Dacotah and the Western States there should be inducements held out to lead them to settle in our own country.

Mr. ANGLIN. No provision is made as to the mode in which the moneys are to be repaid. The amount should be made payable by annual instalments extending over eight or ten years.

Sir JOHN A. MACDONALD. The man comes out here with nothing and settles on the land; he cannot receive a title to the lands until after three years; and the lender cannot press him until after three years.

Sir RICHARD J. CARTWRIGHT. As soon as the three years have expired the settler may be called upon to pay the principal and interest, and thus exposed to considerable hardship.

Sir JOHN A. MACDONALD. We must induce parties to lend money to settlers and make it a matter of contract between the parties. If the matter is surrounded with so many difficulties, no money will be advanced and no person will come out.

Sir RICHARD J. CARTWRIGHT. It is only so far as this arrangement will contribute to the bringing out of a number of settlers that Parliament or the Government are at all justified in agreeing to it. Such being the case, we are justified in adopting such precautions that the object for which we grant these extraordinary privileges shall not fail.

Sir JOHN A. MACDONALD. It is impossible to suppose that people in England or Germany would enter into a speculation to make money by bringing out emigrants and making arrangements with them for the purpose of subsequently selling them out and cheating them out of their farms.

In answer to Mr. BLAKE,

Sir JOHN A. MACDONALD. The extension of the powers given to surveyors under the 11th clause is to enable them to ascertain the facts regarding squatters.

Sir JOHN A. MACDONALD. I wish to move this amendment:

Any discoverer of minerals upon surveyed or unsurveyed lands who had applied for a grant of such lands before the passing of 43 Victoria, Chap. 6, or his assigns or associates, shall be held to have the same rights as if such Act had not been passed.

He said: This is an amendment which should have been made last Session, as there are some persons who claim to have rights to such lands, and have spent considerable sums in explorations, etc.

Mr. BLAKE. This is, of course, new to me, but I should regard it as nothing short of a public calamity if large areas of coal or other mineral lands should be liable to get into the hands of private individuals; and though I am anxious to regard existing rights, we should be careful not to allow large tracts of these lands to get

into private hands merely because a few hundred dollars have been spent in surveys. It would be infinitely better in such cases to compensate these parties at the public expense and keep for the public the coal lands of the North-West. If the areas are small, and there are other large areas of course, these remarks would not apply; but large sections of coal lands should not get into the hands of private individuals without the utmost care and consideration for the future of this country.

Sir JOHN A. MACDONALD. I am only aware of three claims: one is that of Mr. Sutherland upon coal lands; another by a Mr. Osborne, who contests Mr. Sutherland's claim, and another by a person who claims to have discovered gold and silver on a small island in the Lake of the Woods.

Mr. BLAKE. Are the areas large?

Sir JOHN A. MACDONALD. No; very small. The whole coal area, I am informed, is 320 acres at Souris. The island is the same.

Mr. MILLS. Does not this island fall within the limits of Ontario according to the award?

Sir JOHN A. MACDONALD. Yes.

Mr. JONES. I see that in the United States an individual is allowed to take 160 acres, and an association of persons is allowed to take 320 acres, provided they go on and do *bona fide* work upon it. If they are within fifteen miles of the railway they pay \$25 an acre, and if more than fifteen miles from a railway, they pay \$10 an acre.

Sir RICHARD J. CARTWRIGHT. I would call the attention of the First Minister to the affidavit in support of the claim for a homestead right. I am inclined to think that this is dealing a little hardly with a class of men who deserve some consideration at our hands, that is, the class of pioneers who take up homesteads, do a good deal of work upon them, put up houses, break land, and then sell out to move further west. Such a party would be entirely debarred under all circumstances from taking up a homestead grant twice. I have no doubt that *prima facie* a great deal may be said of the mode in which this affidavit is drawn, but I am inclined to think that, having regard to the circumstances of the North-West, some modification might be made so that a man who had actually done work on the homestead and afterwards sold out, should not be precluded from taking another homestead, as these are usually persons who have quite a little capital.

Sir JOHN A. MACDONALD. I hope there will be no difficulty in *bona fide* parties getting round that difficulty.

Sir RICHARD J. CARTWRIGHT. The way the affidavit is drawn it looks as if they could not. "I, A. B., do swear that I have not previously obtained a homestead under the provisions of the Dominion Lands Act." It seems to me that would cut out all such parties.

Sir JOHN A. MACDONALD. There is a practical evil, as the hon. gentleman is aware, which has arisen to a great extent. There are a number of persons up there who make it their business, being on the spot and knowing the country, to pick out the very best lot in the township. They squat on it and make a little improvement, and then look round for a purchaser and sell out and move on to another. It is found to be a good means of extracting money from a *bona fide* settler who sees a beautiful lot and wants to get it; and in this way the first party becomes a middleman.

Sir RICHARD J. CARTWRIGHT. The latter class of whom the hon. gentleman speaks does not deserve consideration, but this would exclude that class of men who have *bona fide* improved their homestead, and, after three or four years, have sold it and moved further.

Mr. BLAKE.

Mr. TROW. I think the suggestion of the hon. gentleman for Centre Huron (Sir Richard J. Cartwright) is worthy of consideration. I have noticed that in some parts of the North-West a large number of parties have left Manitoba for the reason that they could not get a second homestead, having disposed of the first one, and they have gone to the other side of the line to procure homesteads. In all countries the first pioneers are generally single young men. They rough it for a while and make some improvements and then sell out to a man with a family who is anxious to get a home, and who is prepared to give some consideration for the improvements, and the young man sells out and goes further west. I do not think we should debar him from taking another homestead.

Sir JOHN A. MACDONALD. There is no alteration in the law, it has always been so. These affidavits have been merely altered to suit the several clauses of this Act. I am told it has been found that this promotes gambling and speculation in homesteads, and that that has been the result of the experience of the last few years. I am told that there are parties up there who go on to the best lots and try to find purchasers, thus becoming middlemen after having merely squatted on the land.

Mr. MILLS. I discussed this matter last year and made a proposition similar to that now made by the hon. member for Centre Huron. My impression was when I was managing the department that it would be better, instead of requiring occupation for a fixed period of time to require a certain amount of improvement upon these homesteads, and after these were made the party should be at liberty to sell his improvement. I believe there are cases such as the hon. gentleman speaks of, but the mischief done is less than would be done by refusing a sale altogether. Although the party has resided on the land, if he has not a certain amount of improvement the patent ought not to issue when the period expires. He ought to have the privilege of sale, so that some one else coming in and wanting an improved lot of land may have the opportunity of purchasing it. If he has the means he will do that, and the man who sells will have a capital with which to purchase again or to purchase agricultural appliances with which to begin anew. In doing this the hon. gentleman will be providing for those who go from the older Provinces into that territory, who will be able to advance money to the original immigrant for his improvement. I think on the whole, the country would gain more by an arrangement of that sort than it would lose by any speculations in which these people might engage. The experience of all new countries is that there are certain men who may be designated border men. They do not care for the comforts of an advanced civilization, but they make certain improvements, and whenever they find the people around them reaching a certain point of civilization, they want to go somewhere else and begin anew. They contribute to the advancement of the country, and they ought to be allowed, within proper restrictions, to follow their instincts.

Sir JOHN A. MACDONALD. It is almost impossible to make a provision of this kind without some countervailing disadvantages. The hon. gentleman thinks we should allow settlers to sell their claims if there be a certain minimum amount of improvements. In the first place, you would have to have a special staff of officers to go over the country and settle the value of the improvements. In the next place, you would be very apt to cause great dissatisfaction if you fixed a high minimum. What we want is the people to settle on the land, to keep it for three years, to build some kind of a house, and to cultivate the land. With some races the standard of improvement and comfort is higher than with others. Men from the West of Scotland or the West of Ireland would put up with a much smaller house and with fewer improvements, perhaps, than men from Ontario. So

the fixing of the minimum would cause a great deal of dissatisfaction.

Mr. BANNERMAN. With all deference to the opinion of the right hon. leader of the Government, I would like to see some modification made in this clause. My experience in the North-West is, that there is a great deal of dissatisfaction with this clause, as it debars any man who has been on a homestead lot for three or four years, from selling it to an emigrant and going further west to take up another homestead lot. A great many people who come from the old country become homesick and discouraged in the newer districts, and would be glad to buy homestead farms which have been improved by others. I hope, therefore, that the right hon. leader of the Government will make some modification in this clause for the relief of *bona fide* settlers who may wish to sell their improved farms and move further west.

Sir JOHN A. MACDONALD. There may be a few cases of that kind; but we must avoid those speculators who take up the vast lots, and on the pretence of settling on them, stay there for a short time, make a few improvements, and then sell to others. That is no advantage to the country, as these men may go off to the States. However, I will consider the matter between now and to-morrow.

Bill reported and amendments concurred in.

#### NATURALIZATION AND ALIENS.

House resolved itself into Committee on Bill (No. 87) respecting Naturalization and Aliens (from the Senate).—Mr. Langevin.

Mr. MILLS. I take exception to the 4th clause. I do not think we have the power to legislate on the subject. This has to do with the status of aliens in the country; it has nothing to do with the subject of naturalization. The Local Legislatures determine what the status of an alien is to be within the exclusive jurisdiction of the respective Provinces. It is true, we may have, under the powers given to us by the British North America Act the right of expelling an alien enemy or giving him a license to remain, and deciding on what terms he should be allowed to remain; but the question as to who shall hold real estate in the country must be decided by the Local Legislatures which have the control of that real estate. This principle has been long recognized in the United States, whose constitution is in this respect similar to ours. There the naturalization and political status of aliens are under the control of the Federal Government, and the subject of property is under the control of the State Legislature. That is precisely our position. It is for the Local Legislature to decide whether an alien may or may not hold real estate within the limits of a Province. In the Province of Quebec, for instance, a large class of aliens might be introduced to whom the people of that Province might feel a certain repugnance, and they might, on grounds of public policy, declare it was not the intention of this Province that those people should be allowed to hold real estate or inherit property. The authority that has the right to state on what condition and by whom property shall be held, has the right to decide whether these persons who are not citizens, who are aliens by birth, shall hold property or not. If the subject of property and civil rights does not include these provisions, I do not very well see what it does include. The hon. gentleman proposes to deal here, not with the naturalization, not with the status of aliens, not with the conditions upon which aliens may carry on trade and commerce in the country, which may be under control of this Government, but with the civil rights of aliens, a subject with which we have nothing to do. If the hon. gentleman wished to say that an alien should not make a promissory note or carry

any particular trade or calling, then I could understand upon what ground he might undertake to legislate on that subject; but when he undertakes to deal with the inheritance of property, the ownership of real estate within the limits of a Province, I cannot understand what ground he has for his action, since the subjects of property and civil rights come under the jurisdiction of the Local Legislatures. I think that the effect of our exercising this power will be mischievous. I remember a Bill that was introduced by a colleague of the hon. gentleman in the Senate in 1869, which contained this very provision. I remember calling the attention of Sir George Cartier to the subject, and looking up authorities with him, and I know that that hon. gentleman, after looking at the authorities and considering the subject, had not the slightest doubt that this Legislature had not the power to deal with this particular subject, and this clause was struck out of the Bill. To-day the hon. Premier has introduced in this Bill a claim to exercise power by this Legislature which the Government in 1869, of which he was the head, admitted this Legislature did not possess. I think we ought not to undertake to encroach on the authority of the Local Legislatures. This Parliament can always maintain its own rights and assert its own authority, but this is not the case with the Local Legislatures. If we are to maintain a system of Federal Government, it is of the utmost consequence that none of the powers which those bodies possess should be taken from them. I do not believe that you can long have an efficient system of Local Government, if you do not leave with the Local Legislatures control over a sufficient number of public questions of importance to interest the public in their legislation and administration of public affairs. It is not only necessary under our Federal system that the Local Legislatures should have powers important in themselves, but should have such powers left them as will attract to them persons of ability, and such matters of legislation as the public will feel a sufficient interest in to take an interest in the character of their representatives. If you were to go on with this system of encroachment on the rights of the Local Legislatures, and on their political importance, our system of Government would not be as wisely and efficiently conducted as if those Legislatures were left with larger powers and undisturbed. I trust the hon. gentleman will not persist in retaining this section of the Bill, for which there can be no reason. It is easy to inform foreigners that in all the Provinces of the Dominion, by the local law, aliens are authorized to hold real estate. There is no difficulty whatever with regard to that matter.

Sir JOHN A. MACDONALD. I do not think this Bill attacks the jurisdiction of the several Provinces which, I take it, still have the right to deal with this subject. But, notwithstanding, it is absolutely necessary that there should be concurrent legislation, and that Parliament should intervene and have power to deal with this alienage question as well, I believe in all the Provinces, by provincial laws, aliens have the right to hold property. But the question of an alien is a matter altogether belonging to the Crown or Parliament. An alien enemy cannot, of course, stay in the country, except by special permission of the Crown—he can only stay on sufferance. By the law of nations now settled, and the concurrence of many treaties between civilized nations, he has a right to trade between nations at peace. An alien can trade and hold property under statute; but he cannot for reasons of state, connected with the existence of the empire, become a permanent occupier or owner of the soil, and liable to all the duties and responsibilities attaching to such ownership. There is no clearer position than that the Crown is not bound by an Act unless the Crown is specially mentioned in it. The Crown has not lost one of its rights by the British North America Act. The law exists—that although an alien friend may purchase

land in England or elsewhere, yet, by the prerogative of the Crown, in consequence of the non status of an alien in the country, and the want of right to occupy with permanency, it is held that, even if the land has been purchased, it inure, is forfeited to the Crown. That right exists at this moment. The Crown, if it chooses, by letters patent, without reference to the Parliament of England or any of its colonies, can give the right by letters of denization—not a political right—but can, of its own prerogative right, without an Act of naturalization, issue letters patent declaring the party to be a denizen, a demi-citizen, a half citizen, having no political right, but the right to hold real estate. On the same principle I take it that, although each Province can pass a law affecting the rights of property, we can here declare that, notwithstanding any such law, a crime or a felony will work the forfeiture of that title. That is a necessary incident of the paramount power. No alien has a right to a permanent habitation in the country, because it may be dangerous to allow aliens to come in and become possessors of the soil. That is one of the great questions raised in California at this moment with reference to the Chinese immigration. If they come into the country and settle in it, and take up land, they may endanger the State—forming a Mongolian settlement, holding lands, backed, sustained and supported by a great company behind them; and therefore it is held that the paramount power must have something to say in removing that disability. Therefore, under the British North America Act, that power was also given to us. We have the right to say no alien shall come to the country at all. I do not suppose the paramount power might desire we should pass it; perhaps it might say it was contrary to the general interest to impose it, contrary to the comity of nations. But they have given us that power. Therefore, we must, in some way, to give assurance and security to the alien friend coming to this country from Germany or other foreign country, say, that so far as this Legislature is concerned, any alien may hold land if it does not interfere with the concurrent rights of the Local Legislatures in this matter. We must act together. Supposing we pass a law and say, in order to prevent the Crown from interfering to deprive the alien of his right to come to this country and hold land, we give him power so far as we can. The Provincial Legislatures must do the same thing, and they have done the same thing. The Local Legislatures say that aliens can hold such a right and title to the land, and we say notwithstanding the general principle of the law, we give them that right, although without that clause they can have the right. The Prince Consort was an alien until an Act of Parliament was passed; and to repeat my statement, it is so completely the prerogative right of the Crown that the Crown may, by its own mere motion, without reference to Parliament, issue letters of denization, and without them an alien cannot hold land except under the law giving naturalization. And although the Local Legislatures may give power to an alien to purchase under the prerogative, it is not affected by anything in the British North America Act, and it may be forfeited to the Crown and held by the Crown. But taking the hon. gentleman's own argument that a double security should be given to intending immigrants. If we say that the Province of Ontario or the Province of Quebec has given, so far as it could, the right to share and occupy the soil; that is one security. Then, by our passing this law we say we have no political reasons, no reasons of State, no prerogative reasons for interfering with any of the rights which the aliens may acquire by law, affecting property and civil right in the several Provinces. And having these two together; having this concurrent assurance by the Dominion and the Province, you give a double security to the alien. And it is of importance that this should be so, because the jurists of the continent of Europe will look at

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the nation, at the predominant or paramount power; and until we give them the assurance which is conveyed in this Act, they will hold that the security which is necessary has not been given. I think it is of great importance that we should look upon the matter in this way; and that intending immigrants should feel that so far as the laws regarding property and civil rights are concerned, they are given certain rights by the Provinces, and that as regards their political rights, the Crown and the Parliament of Canada have given them an assurance in every possible way that these rights shall not be impugned.

Mr. MILLS. The hon. gentleman has referred to the power of the Crown with regard to the denization of aliens in England, but, if I remember aright, that does not give the power to hold property in fee simple; it is simply a tenancy for life.

Sir JOHN A. MACDONALD. The hon. gentleman is mistaken:

"A denizen is an alien born, but who has obtained *ex donatione legis* letters patent to make him an English subject; a high and incommunicable branch of the royal prerogative. A denizen is in a kind of a middle state, between an alien and natural born subject, and partakes of both of them. He may take lands by purchase or devise, which an alien may not do except under the statute before mentioned; but he cannot take by inheritance: for his parent, through whom he must claim, being an alien, had no inheritable blood, and therefore could convey none to the son. And, upon a like defect of hereditary blood, the issue of a denizen born before denization, cannot inherit to him; but the issue born after may. And no denizen can be of the Privy Council or either House of Parliament, or have office of trust, civil or military, or be capable of any grant of lands from the Crown."

Mr. MILLS. Of course, the property purchased by the alien reverted to the Crown on the obvious principle that the original estate was vested in the Crown. I cannot see any reason why the hon. gentleman should undertake to deal with the subject. He says it is a prerogative right; but granting that it is the executive power throughout the whole empire, whether it be vested in the Lieutenant-Governor of a Province, or the Governor of a Crown Colony, or in the Governor General here, is the executive power of Her Majesty? The Queen is not divested of any power she had over matters which are within the jurisdiction of the Provinces so far as she possessed executive power over these Provinces. By the 9th section of the British North America Act: "The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen." That does not mean merely the executive power exercised by the Governor General, but that exercised by the Lieutenant-Governors of the Provinces; and all the legislation in the country is carried on in Her Majesty's name. If the Provinces have control over real estate, over property and civil rights, whatever prerogative rights belonged to Her Majesty, in dealing with those subjects before the British North America Act was passed, is vested in Her Majesty still as the executive authority of the Province. Therefore what the hon. gentleman proposes is to call upon this Parliament to legislate upon a subject which belongs to the Provinces and not to the Parliament of Canada.

Mr. BLAKE. I think the suggestion of the leader of the Government, that there should be concurrent powers in this case, is a dangerous one with reference to provincial rights altogether. By the British North American Act there is only one power which is given concurrently to this Parliament and the Local Legislatures, and that is with reference to laws dealing with agriculture and immigration. And even in regard to that set of subjects when the power is exercised by both, that of this Parliament is declared to be paramount. The suggestion of the hon. gentleman is, as I understand it, that the Local Legislatures have power to enact effectually that an alien shall have the right to hold real property or that he shall not have that right, and yet that it is important that this Parliament should also legislate. He says

that political reasons—though I do not observe any political reasons connected with this clause—require that an alien shall not have any political rights of any description whatever, and that this section shall only give him the right to hold real and personal property, or no more than a Local Legislature has a right to give him, an exclusive right to give him, for what right a Local Legislature has, as to property and civil rights, is an exclusive right.

Sir JOHN A. MACDONALD. When I used the expression "concurrent rights" I used it for the purpose of convenience, to explain my view that the action of both Legislatures was necessary. In the first place, the action of the Local Legislature for the purpose of giving the party, whether he be an alien or a subject, the right to hold property—that is one thing; then this is to remove the disability which, by the general law of the empire, all aliens labor under. The one Legislature gives the property right, the other removes the disability, and therefore my whole argument was to show that both Acts were necessary in order to secure the alien. The Local Legislature confers the property right, the General Legislature takes away the disability which obtains by the law of nations and by the general law of England, which provides against any alien having any right to hold property, for political reasons, I said. Of course, this clause provides that he shall have no political rights, that is to say, he shall not have the right of voting, the idea being that all his political sympathies being with his own country he is not a man to exercise political rights until he becomes to all intents and purposes a British subject. It was in that sense I used the word "political." But I am as certain as I can be that should this case be submitted to the Courts they will hold that no alien has an inalienable right which a man cannot deprive him of, unless we have this legislation; and for that reason I am extremely anxious that the alien should have double security, first, of the property right conferred upon him by the Provincial Legislature, and the removal of all disabilities which pertain to his character as a foreigner, as an alien, by the action of the general Legislature, who alone can deal with the alienage and naturalization.

Mr. MILLS. We carried the Wrecking Bill the other day providing that an alien should have the right to hold property in a British ship.

Sir JOHN A. MACDONALD. If another Act for a special purpose gives a special right, that is quite another thing.

On section 13,

Mr. MILLS. Where you have not many aliens coming into the country you may succeed in naturalizing them in this way, but if you are expecting a large immigration of foreigners you must adopt some more convenient system, or a large number will not be naturalized at all according to law. Unless you have some system where a man may be naturalized in some other way than by going into Court to have his certificate registered, you will not have many aliens naturalized in conformity to the law. In a new country, when a good many aliens are coming in, it will not be easy to get them to go some distance to a court to be naturalized. I can understand that in a country like England, where few persons are coming in, this may be done, but I am sure that the attempt to naturalize a large population in this way will not succeed.

Mr. McDONALD (Pictou). A County Court sits in every county of the Dominion, and I do not think there would be any difficulty. This is an important right you are conferring upon an alien, and if he appreciates it at all, he will not begrudge the trouble of going to the county town and having his rights confirmed by registration. It is better to preserve some short form. The affidavit is taken

before a Commissioner and is filed by the Court. It is not necessary even the party should go himself.

Mr. MILLS. There would be no difficulty. The hon. gentleman might provide for the affidavit being sworn to before a justice of the peace, and forwarded with the certificate to the clerk of the peace to be filed by him, and read at the next sitting of the Court.

Mr. BLAKE. It appears to me to be most important that the Government should carry out their regulation, in some such spirit as my hon. friend from Bothwell has indicated, so as to provide the easiest and simplest mode for foreigners to become British subjects, rather than to put an obstacle in their way.

Mr. McDONALD. Provision is made for the Governments to appoint people for that purpose.

Mr. MILLS. In the North-West Territories, no doubt, the land agents could facilitate the business.

On clause 24,

Mr. MILLS. Is it intended that persons who are naturalized shall be recognized as British subjects everywhere?

Mr. McDONALD. Yes; the Imperial Government will legislate in that direction as soon as this Bill becomes law.

Mr. MILLS. To what extent?

Mr. McDONALD. It is by convention. They are now legislating with regard to Germany, and this clause refers specially to that country, although it applies to all countries. The law of Germany requires five years absence before it allows the right of German immigrants to be naturalized in a foreign country.

Mr. BUNSTER. Does the Bill apply to the Chinese?

Mr. BLAKE. There is an express provision for the Mongolians holding lands.

Mr. BUNSTER. I am afraid, then, I cannot support the Bill. Will the hon. Minister of Justice answer—how does this Bill affect the Mongolian race as regards registration?

Mr. McDONALD (Pictou). The Bill proposes to do the heathen Chinese the honor of treating him like any other foreigner who comes into the country and desires to be a good subject of Queen Victoria.

Mr. BUNSTER. Then I cannot support it. I am really astonished the hon. leader of the Government would sanction any such Bill, when he got a constituency totally opposed to the Chinese race. There is no right or justice in it. It will make bad blood among our people in British Columbia.

Mr. BLAKE. The hon. gentleman (Mr. Bunster) does not understand his difficulties. He opposes the naturalization of the Chinese, while the hon. gentleman is going to be returned by the Chinese votes at the next election.

Mr. BUNSTER. The right hon. gentleman got all the votes in the constituency but one, and he ought to respect the feelings of the men who sent him here, when the balance of the Dominion opposed him. In allowing such an infliction to be imposed upon us, he is doing us great injustice, and I, for one, will not vote for him again. He ought to protect us against this Chinese pest. In sanctioning this Bill, the Premier overlooks his duty towards the people he so proudly represents.

Sir JOHN A. MACDONALD. I am very sorry the hon. gentleman (Mr. Bunster) was not in his place to move an amendment to the second reading of the Bill. At any rate, I cannot move an amendment against a Government Bill. If the hon. gentleman had been in his place he would doubtless have convinced the House, with his usual eloquence, of the necessity of preventing the Chinese from having this right. But, if I am not much mistaken, I

believe aliens have a right to hold land in British Columbia by the local laws. Cannot Americans hold lands?

Mr. BUNSTER. Why does the hon. gentleman class Americans with Chinese?

Sir JOHN A. MACDONALD. I think German, Italian, French and other aliens can hold land in British Columbia, under a local Act, and that the heathen Chinese can get this right to purchase land until the Legislature of British Columbia repeals the law allowing all aliens to hold lands. If we acted as the hon. gentleman desires, this Parliament would be setting itself up against the law of British Columbia.

Mr. BLAKE. Will the hon. gentleman (Mr. Bunster) tell us if the heathen Chinese has a vote now?

Mr. BUNSTER. Probably this is a more vexed question than the hon. member for Victoria (Sir John A. Macdonald) has considered it. I am astonished to think he has been so careless with regard to it. If he had read the *Montreal Gazette* of the 12th of this month, he would have seen that the Australian colonies—and I have a notice on the paper on this subject—have bound themselves together against this Chinese pest; and when he tries to smooth it over and asks: "Have not foreigners the right to vote in British Columbia?" and draws the line of demarcation between the Chinese and the Americans—the comparison, to my mind, is very odious.

Sir JOHN A. MACDONALD. Would the hon. gentleman prevent Dutchmen from settling and holding land in British Columbia?

Mr. BUNSTER. No.

Sir JOHN A. MACDONALD. Well, one foreigner comes from China and the other from Delf. I am sure china is better than delf.

Mr. BUNSTER. Not at all. I am very glad to know I have called the hon. gentleman's attention to this question.

Mr. BLAKE. Have the Chinese votes now for members of Parliament?

Mr. BUNSTER. No; they are on the municipal roll if they pay their taxes, and can vote for city councillor or mayor, but cannot vote for members of Parliament. We desire to prevent Chinese from coming into British Columbia. We want only white people to settle our lands. The Chinese do not even lay their bones in our Province after spending their lives there. The Chinese are obliged to give bonds for their return to China. It has been said that if I were a good constitutional authority I might amend this Bill; but what chance would I have of amending it, when I was left the other night to vote alone on a question. If the First Minister were to bring in a Bill to hide a man he would carry it. I hope the Government will give the present Bill due consideration, and not inflict such a preposterous measure on the country.

Committee reported.

#### MERCER REFORMATORY.

Bill (No. 81) an Act with reference to the Andrew Mercer Ontario Reformatory for Females, and the Central Prison for the Province of Ontario—(Mr. McDonald, Picou)—was considered in Committee, read the third time and passed.

#### SUPPLY.

House again resolved itself into Committee of Supply.

168. Expenses of Government in the North-West Territories..... \$30,000 00

Sir RICHARD J. CARTWRIGHT. Perhaps the hon. gentleman could give the House an explanation of the increase of \$13,000.

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD. The expenses of Government in the North-West Territories are the same as last year. The additional sum is made up as follows: Strong representations were made by the North-West Council to the effect that some of the main trails over which immigrants are beginning to flow are in a bad condition, and that some bridges are required for the continuity of those trails. To secure that object we ask \$8,000; and \$5,000, also on the strong recommendation of the North-West Council, for schools.

Sir RICHARD J. CARTWRIGHT. Is there any sort of municipal organization under which rates in aid can be collected for schools and other purposes.

Sir JOHN A. MACDONALD. There will be this summer. In consequence of the influx of population several electoral districts have been mapped out, and the settlers there are now electing their representatives on the North-West Council under the North-West Act.

169. For the Expenses of Government in the District of Keewatin..... \$7,500 00

Sir JOHN A. MACDONALD. The sum of \$2,500 in addition to last year's vote is for the extinguishment of remaining claims on account of small-pox. There have been no investigations since 1878, but of course all claims will be thoroughly investigated before they are paid.

Mr. MILLS. I took the ground that the Dominion Government should not pay the expenses of any means provided for the protection of the Province of Manitoba from small-pox.

In answer to Mr. MILLS,

Sir JOHN A. MACDONALD. No Council has been established in the District of Keewatin.

Mr. MILLS. I do not think the Lieutenant-Governor can act without the aid of the Council.

195. Surveys, Dominion Lands.....\$300,000 00

Sir JOHN A. MACDONALD. This amount is the same as that for last year. It is very necessary that the work should be rapidly executed. In the first place, it is desirable that we should continue the regular survey by degrees wherever lines of settlement may be established. Then it is necessary that we should prosecute surveys along the line of the railway as much as possible, as the settlement of the country will largely follow the railway line. Again we want to send some surveying parties into the Bow River country for the purpose of thoroughly examining it. Then branch lines will be surveyed east and west from a base line running south from Battleford to the frontier. I do not think the statement formerly made by the hon. gentleman, that surveying was proceeding too rapidly, is borne out. We cannot, of course, accurately estimate the extent or the direction of settlement, but we must keep in advance of immigration and the requirements of settlers. Then, in view of the arrangements with the Syndicate, the surveys along the line of the railway must be prosecuted from Red River to the mountains. The only additional work proposed to be done is the survey of some townships on the 114th meridian, so as to provide for the nuclei of settlements which are being formed there. The costs of surveys will not be serious, as the iron corner stakes will mostly remain, though some of the intermediate mounds and wooden stakes may have disappeared. No applications have been made to the department for resurveys of townships on the ground that the original marks were lost. The cost of survey has been considerably diminished. The average in 1878 was 4 $\frac{1}{2}$  cents per acre. In 1880, under the system introduced last year, it was 3 cents an acre, a saving of 1 $\frac{1}{2}$  cents. All the returns of the surveys have not yet been received, therefore some of the accounts

are yet outstanding; still, the rate per acre here given for 1870, based on the actual payment for 200 townships, may safely be taken as the average for the year. It is more than probable that when the accounts are in the average may prove to be even less than 3 cents per acre. Now, we are still further reducing the cost of survey, in the first place, by the alteration in the system of surveys, and the section lines will not be staked out so fully as they have been hitherto.

Sir RICHARD J. CARTWRIGHT. How long have these iron stakes been placed? Has that been the custom the last year or two?

Sir JOHN A. MACDONALD. That has been the custom from the beginning.

Mr. MILLS. \$300,000 last year was charged to capital account, and the same sum this year is so charged. But we have not before us a statement of the work done for the expenditure. We do not know how many acres have been surveyed, or whether the surveys have been carried on.

Sir JOHN A. MACDONALD. The report was only printed half an hour ago. There are 300 townships surveyed this year. I am afraid we cannot furnish a statement of the number of settlers going on to those surveyed lands during the last year.

Mr. TROW. Do I understand the Premier to say that iron stakes are used?

Sir JOHN A. MACDONALD. Iron stakes are at the four corners of the townships, but the sub-divisions into sections are made by mounds and wooden posts.

Mr. BLAKE. There was an arrangement made last Session that there should be an account opened and a statement brought down each year showing the results; also an account submitted to Parliament, showing the survey account and other expenses as against the land. The hon. gentleman argued that it was proper that this should be taken to capital account.

Sir JOHN A. MACDONALD. My recollection is that that should be the system in the future, but that we should have one year over our heads to get ready in. We have not got all the returns of the last year in yet, but we hope, next year, to be able to give a full account and a capital account, showing the cost of surveys and showing the amounts received, indicating and commencing the basis of a fund to redeem the indebtedness for the Canadian Pacific Railway.

Sir RICHARD J. CARTWRIGHT. It was distinctly understood that the sums received, at any rate, from the 1st July, 1880, on account of Dominion Lands, were to go as far as they could go in reduction of this same charge to capital. I hope that has been carried out.

Sir JOHN A. MACDONALD. It will appear at the end of the year.

196 Dominion Lands ..... \$70,466 60

Sir JOHN A. MACDONALD. The increase over the sum asked for last year is due to the rapid increase of work, both in the land transactions and in the surveys. Three draughtsmen and four clerks have been added to the staff, whose salaries amount to \$5,400 a year.

Mr. MILLS. Do the advertising expenses mentioned here include the publication of the speeches of the hon. member for Niagara (Mr. Plumb)?

Sir JOHN A. MACDONALD. I think very likely they will.

Mr. BLAKE. Those are included in the last Public Accounts. I suppose my right hon. friend means that this item is intended to include any similar speeches in the future.

Sir JOHN A. MACDONALD. I am afraid I am responsible for that charge. I lost my hon. friend's speech, not being present when it was delivered. I heard it was a very good speech and full of statistics respecting the North-West, and would make a very good emigration pamphlet, therefore I thought it would be money well spent to have that on hand.

Mr. MILLS. Is it the policy of the right hon. gentleman to circulate such speeches in this way in the future?

Sir JOHN A. MACDONALD. I will promise not to distribute any more speeches in the future, unless I come across a good speech of my hon. friend. That is fair.

Mr. MILLS. I have in my hand a list of some expenses incurred in this department last year. Perhaps the hon. gentleman, if he has not seen it, would like to hear it read.

Sir JOHN A. MACDONALD. You may read it to me.

Mr. MILLS. The list is as follows:—Annual Register and Review, \$100; Aylmer Times, \$76.09; Berlin News, \$103.10; Belleville Intelligencer, \$193.40; Bracebridge Herald, \$22.50; Bradford Witness, \$27; Brantford Courier, \$84.40; Brantford Telegram, \$40.50; Brampton Conservative, \$47.96; Canada National Zeitung Neustadt, \$27; Canadian Temperance Advocate, \$67.90; Canadian Spectator, \$138.70; Cape Breton Advocate, \$27; Cardwell Sentinel, \$27; Central Canadian, \$64.48; Charlottetown Presbyterian, \$39.90; Charlottetown Herald, \$64.25; Chatham Planet, \$710.86; Christian Guardian, \$130.80; Ottawa Citizen, \$427.89; Cobourg Sentinel, \$27; Colchester Sun, \$35.60; Collingwood Enterprise, \$31.50; Colonial Standard, \$16.20; Cookstown Advocate, \$27; Cornwall Reporter, \$59.14; Courier de Montréal, \$168.80; Courier de St. Hyacinthe, \$27; Daily News, Kingston, \$54; Daily Telegraph, Quebec, \$67.50; Dundas Standard, \$27. The total amount received by the papers whose names I have read was \$2,962. I do not know that I need read the whole list, but if the hon. gentleman has the least doubt that there are 139 papers, I will go on.

Sir JOHN A. MACDONALD. I will take your word for it.

Mr. MILLS. I think the total cost of advertising is in the neighborhood of \$14,000. Now, it seems to me that this is a monstrous waste of public money. If the hon. gentleman wishes to aid the Conservative newspapers, as a struggling industry, on the principle of the National Policy, let him ask for an appropriation for that purpose; but do not mislead the House and the country by taking it as an appropriation for public lands. Then the country will know what they are paying these gentlemen who have organized themselves with the Government into a mutual admiration society, and who devote so much of their space and time to eulogizing the Government and their policy. If the public could see this list and know that the money supposed to be devoted to the opening up of the North-West was spent in this way, they would perhaps not attach so much importance to the opinions of the gentlemen who conduct these newspapers. If the Government would come down and say, we want \$20,000 out of the public Treasury for the support of the Conservative press of Canada, we should know exactly what was being done.

Mr. BOWELL. Why did not you do that?

Mr. MILLS. Because we did not adopt such a policy. If the hon. gentleman looks over the accounts for the period that I had charge of the department, he will find that there was less than \$500 spent in two years.

Mr. BOWELL. During the six months prior to their leaving office, over \$10,000 was spent for advertising by the Department of Railways and Canals alone.

Mr. BLAKE. My hon. friend's list, I understand, runs up to about \$14,000, and among these 139 newspapers are

many of which most of us, I suppose, never heard before. Nobody can doubt that this was not wanted in the public interest, and nobody can doubt that the hon. Minister knew that it was not wanted in the public interest.

Sir JOHN A. MACDONALD. We heard a great deal for and against the regulations for the settlement of the public lands, and I think it was well that the people should be fully informed in all localities of the country, even at the expense the hon. gentleman has mentioned, of the nature of these regulations, because immigration to the North-West comes from all parts of the Dominion. I think hon. gentlemen opposite, when in power, spent, and properly spent, a considerable sum in the way of advertising. If I am not mistaken, the present Minister of Railways, on taking office, had to pay out sums to the extent of \$10,000 for advertising in that department for the previous six months under his predecessor. If we compare the cost of advertising, I think hon. gentlemen opposite will be found to have been as anxious in disseminating information as the present Government. I must say, however, that there ought to be a very considerable check put upon indiscriminate advertising, and we shall endeavor, prompted by the precept, if not the example of hon. gentlemen opposite, to try and keep down the cost of advertising in the future.

Mr. MILLS. If the hon. gentleman looks at the Public Accounts, he will find that there was not, in the year 1878, \$500 spent in advertising in connection with the Department of the Interior. Under the provisions of that law we were required to advertise the claims of various parties before the Commissioner undertook to deal with them. For this, I think, some \$12,000 or \$14,000 were paid. Those advertisements required to be inserted in the daily papers of Winnipeg for three months before action could be taken. Apart from that, you will not find \$500 spent for advertising in two years. There is no necessity for it.

Mr. BOWELL. Let the hon. gentleman put a notice on the paper asking for a comparative statement, and he will find the comparison is not to the advantage of the late Government. As for my own department, I have scarcely got through paying the old accounts yet, running in cases of some papers for useless advertisements to the tune of \$500 or \$600 each.

Mr. MILLS. The advertisements may have appeared without orders from the department, and the hon. gentleman may be paying for advertising gratuitously done.

Mr. BOWELL. I have refused most distinctly to pay accounts unless certified to by the Queen's Printer, and when the Queen's Printer refused, the late Minister certified to them as having been ordered by himself. I did not consider myself justified in refusing an order of that kind, though the order was in direct opposition to the Order in Council passed by the Government of which he was a member.

Mr. CHARLTON. While upon the subject of Dominion lands, I wish to call attention to some matters in connection with Ordnance lands. We have not the report of the hon. Minister of the Interior this year, but I see that the arrears for payment of balance due for rent and instalments are very large and are increasing yearly. On the 30th June, 1875, the balance of rent unpaid was \$25,755.29, and instalments and interest unpaid amounted to \$20,440.75, a total of \$46,196.02; the next year the arrears from both of those sources had run up to \$47,003.87; on 30th June, 1877, they reached \$52,844.48; the 30th June, 1878, \$86,915.55; and the 30th June, 1879, the amount reached \$107,368. It would be interesting to know how much was due last year. I think these accounts ought to be collected better than they are. I find from the last report that at Fort Erie \$10,489.76 is due for rent and interest unpaid on 30th June, 1879, and the amount received

Mr. BLAKE.

was but \$30.66. In the same year the amount due for interest and rent on Ordnance lands sold in Toronto is \$1,534.80, and for instalments unpaid, \$3,556.35; against which but \$405.11 was received. Some change should be made in conducting this business. It is quite evident that political pressure is brought to bear on the hon. Minister of Interior by hon. members whose constituents are indebted to this fund. It is very natural, therefore, that these accounts should fall into arrears. I throw no blame on one Government more than another. The system is evidently defective. I suggest that this matter should be placed in some other hands, say in the hands of a commission entirely independent of political influence, who would deal with it in a business-like way.

Sir JOHN A. MACDONALD. The hon. gentleman is quite correct. There has been great laxity in collecting the rents. Colonel Coffin, when in charge, was a very active officer who did his duty to the utmost extent, but was stopped by influence of some kind or other. There has been, especially in this vicinity, a very considerable lack of due pressure to collect dues of every kind. We are endeavoring to work up the collection as much as possible. The system has lasted so long that you cannot well come down with the hammer of Thor and crush all those people who have been allowed very laxly to run in arrears, but pressure will be brought on them to make them pay up.

Mr. BLAKE. I observe that in Ottawa, the rents and interest remaining due and unpaid are over 18,000, while the instalments unpaid amount to but \$7,000. I do not know how much is interest and how much rent, but allowing an equal amount for each, you have an enormous arrear of rent. It would be better for the Government to put this property up at the hammer and collect the purchase money from the purchasers. There is a total of \$50,000 rent and interest in arrears, and the whole amount due is \$194,000.

Mr. MILLS. A large part of the Government property in the city is held under perpetual leases. Those should be converted into freeholds, and the capitalized sum charged to the parties instead of yearly rental.

Sir JOHN A. MACDONALD. During the last five years the depression in Ottawa was severely felt, and it would have been useless to put the property in the market, and you could not have converted the leases into freeholds. Now that the depression is over more active steps will be taken. Now, especially in this part of the country, there is no reason why those arrears should not be collected. I agree with the hon. gentleman, that whenever you can get rid of the property you should. We should endeavor to dispose of this property as fast as possible, consistent with the rights of the parties.

Mr. ROBERTSON (Shelburne). What policy do you propose in connection with the Ordnance lands in Shelburne? Shortly before the retirement of the late Government, I made application on behalf of a gentleman who held Walter's Island, in the harbor of Shelburne, under an old lease from the British Government. The Minister of that day (the member for Bothwell) reported it had been decided the island should be sold to this gentleman, Mr. Willet, for \$300, which he paid to the Receiver-General. Since I have made repeated applications to the Minister of the Department on Mr. Willet's account, whether his money would be accepted and a title for the island given, or his money refunded? Is the right hon. gentleman prepared to give an answer now or let the matter go on from year to year?

Sir JOHN A. MACDONALD. I am not able to give an answer now, but shall inquire into the matter with a view to an early reply.

Mr. MILLS. When I was Minister of the Interior, I referred the matter to Col. Coffin, who reported that the

land claimed by Mr. Willet was worth \$300. Certain parties in Shelburne, to whom I wrote, put a higher valuation on it, but left out of sight the fact that Mr. Willet had a life lease. Considering this fact and the smallness of the rent, we felt that Col. Coffin's was a fair valuation. On my writing to Mr. Willet for a higher sum, he answered he thought \$300 was more than the island was worth, and that if we did not choose to accept it he would receive back his money and give up the island. I then concluded that the \$300 should be accepted, and ordered a patent to issue; and so the matter stood when we left office.

**Mr. BLAKE.** We have made very good resolutions as to the propriety of avoiding the system of arrears in connection with those Ordnance lands, and there is very considerable need of such a policy. I want to read a sentence or two from the right hon. gentleman's report with reference to the North-West Railway lands, which possesses some bearing on this point:

"I regret to have to report that, even at this early date, at what is the mere initiation of a system of *time* sales of railway lands, there is already experienced difficulty of obtaining punctual payment of instalments due."

"The experience of the department of the steady accumulation of arrears of payments, in case of similar sales of Ordnance lands, would lead to the inference that, unless the extreme measure is resorted to of prompt cancellation of sale on default of payment of any instalment, this evil is likely to increase."

**Sir JOHN A. MACDONALD.** No doubt it is much more satisfactory to get the money in our hands. When we established the regulations for time sales, we had to contend against the very liberal terms offered to settlers in the United States. Our country was more remote from the general current of emigration, and we were told, I think by hon. gentlemen opposite, that we had no people for our lands, or very few, and in order to offer proper inducements, we did sell on time. If, however, arrears accumulate inconveniently, we can alter that policy, and demand ready money for all sales, or a system similar to that of the United States. Then hon. gentlemen opposite will not, I hope, attack us for the illiberality of our regulations.

**Mr. BLAKE.** The hon. gentleman misapprehends the report, which does not refer to the subject of his motion, but to the sales of railway lands for speculators' purchase. With reference to his apprehension of being accused of illiberality by us, if he alters his policy, I beg to remind him that we pressed upon him, when he announced a plan of sales to speculators—not on condition of settlement, but on time—its objectionable character; we denounced it, and told him that sales ought to be for cash, and not on time, and it is with reference to that passage in the report that I spoke. I suppose the hon. gentleman, having brought down his report, approves of it, though he does not appear to have read it. I hope he will carry out this policy of the Opposition, which they earnestly urged last Session.

201. *Contingencies.*—Amount required to pay Sir Alex. Galt, expenditure incurred by him in establishing his office in London, over and above amount already voted..... \$1,294 07

In reply to **Mr. BLAKE,**

**Sir LEONARD TILLEY.** Last Session a vote was taken of \$3,000 to pay the expenses of the removal of Sir Alex. Galt and his establishment to London. The whole expenditure, as submitted by the accounts of Sir Alexander, and vouchers attached, was \$4,294.07, and therefore this vote of \$1,294.07 is required to pay the difference.

**Mr. BLAKE.** Then it has nothing to do with the expenses of his office?

**Sir LEONARD TILLEY.** \$3,000 were voted for the last fiscal year, \$4,000 has been voted for the present fiscal year. \$3,000 were not sufficient to take Sir Alex. Galt over and establish him in London, and therefore \$1,294 additional is required.

204. *Dorchester Penitentiary, to pay the salaries of the Warden, \$1,000, and the Deputy Warden, \$600, from the 1st September, 1879, to the 1st July, 1880.....* \$1,600 00

In reply to **Sir RICHARD J. CARTWRIGHT,**

**Mr. McDONALD (Pictou).** The term "salaries" is not exactly correct. We expected the year before last to get into the penitentiary on 1st September. The Department of Public Works, who had charge of the construction and finishing of the prison, reported that the prison would be ready, and the Department of Justice made the necessary arrangements for transferring prisoners from Halifax and St. John to Dorchester. The warden and deputy warden were appointed by Minute of Council early in September. It afterwards turned out that the prison was not ready for occupation until the following July, and the warden and deputy warden were more or less engaged during the nine months which intervened between the date of their appointments and the time the prison was occupied, although they were not occupied as departmental officers; and the Government thought it only fair that they should be paid something, and they were voted \$1,000 and \$600 respectively.

**Mr. BLAKE.** I do not understand why this vote was not brought down last Session. The difficulty had occurred. The Minister of Justice brought down the vote for Dorchester Penitentiary, having arranged the salaries of the warden and deputy warden.

**Mr. McDONALD.** We wished to have the expenses of this prison settled irrespective of an extra claim like this. Besides, I do not know that the country lost much, if the claim is a proper one, by letting it wait.

**Mr. BLAKE.** I suspect that the people had not to wait very long, for I fancy that they have been paid long ago.

**Mr. McDONALD.** No; they have not.

**Mr. BLAKE.** It certainly was stated, whether in the press or in this House I cannot now remember, that these appointments had been made at a premature date, and it was replied that no harm was done because other men were not paid any salary, so no further question was raised on that subject. But we find that these men were appointed, their salaries fixed, and next year comes a proposition to pay a considerable sum of money, occasioned by these premature appointments. If the arrangements of the Board of Works were so much out of the way, as the hon. gentleman has stated, I am surprised, having regard to the administration of that department, that there should have been such a miscarriage of calculations as to the time when the prison should be ready. I think, perhaps, there was more anxiety on the part of those persons to be appointed than any anxiety on the part of the Government to proceed in such a way that there would be a necessity for appointing them. Surely it would have been enough for the Government to have told them that they would be appointed when the prison was ready for them, instead of appointing them nine months before they were required, and then proposing to give them \$1,600 because they were appointed before they were required.

**Mr. McDONALD.** I do not know what my hon. friend saw in the press, but if there was any such statement as the hon. gentleman says, I have only to say that there was no authority for that statement. The delay which took place in regard to the preparation necessary lie at the door of hon. gentlemen opposite, for if the work had been prosecuted with vigor and these contracts given with punctuality, we had reason to suppose that the prison would have been completed and the Public Works Department would not have been in a position to find themselves so entirely wrong in their calculations. There is this, however, to be said about the services of these men: that some one was required to perform the duties which

they performed. The place had to be got ready, preparations had to be made for the reception of the prisoners, furniture had to be procured and placed in the building, furnaces had to be arranged, and a variety of other things attended to in connection with housekeeping on so large a scale; so that the warden and the deputy warden, who exercised a supervision over this work, practically earned the money which we now ask Parliament to vote.

Mr. BLAKE. The hon. gentleman says that because some delays were made in the construction of the buildings prior to October, 1878, therefore, in September, 1879, he appointed permanent officers in a building which was not ready until—

Mr. McDONALD. I did not say so.

Mr. BLAKE. The hon. gentleman says that it was because of delays which occurred under the late Administration.

Mr. McDONALD. No; I did not.

Mr. BLAKE. All I can say, then, is that, unless the hon. gentleman meant to say that, his remark had a relevancy. The question is not whether the building would have been ready if there had been no delays, but whether it was proper for the Government to appoint them and pay them ten months before the building was erected.

Mr. McDONALD. It is hardly worth the hon. gentleman's while to present my remark, however, to give himself the opportunity of saying that it was not relevant. What I did say was that, if my hon. friend, who presided over the Department of Public Works, did not have the building ready for occupation at the time anticipated, the fault lay on the other side of the House.

Sir RICHARD J. CARTWRIGHT. Does the hon. gentleman mean to say that in September, 1879, a year after we had vacated office, he could not tell when the building would be ready?

Mr. McDONALD. I think it was the Minister of Railways who was presiding over the department then, and, as he is not present, I cannot tell why he was disappointed. I can only say that, acting on an intimation conveyed from that department, the building would be ready the first of September, or shortly after the appointments were made.

Mr. LANGEVIN. As the Minister of Railways is not present it is just to him to say that I had then been Minister of Public Works for two months, and that I found that we were disappointed about the fulfilment of the contracts. These are things that may happen at any time; and we did all we could to hasten the work, but of course we were disappointed in the time.

Mr. ANGLIN. Did the hon. gentleman recommend that the appointment should be made in advance?

Mr. McDONALD. No; I recommended them.

205. Additional amount required to cover the cost of the publication of the debates..... \$10,000 00

Sir RICHARD J. CARTWRIGHT. What is this for?

Sir LEONARD TILLEY. I think it was stated by the Chairman of the Printing Committee that it was on account of previous years, and the hon. member for West Durham moved for a return.

Mr. BLAKE. The returns do not show the results, so far as I can make out.

Mr. BOWELL. After the debate which took place the other evening, I took the trouble to obtain from the clerk of the Printing Committee the figures showing the total cost of reporting and publishing the debates for the last four years. He explains to me, as I think I explained the other night, that portions of the sums voted have lapsed before

Mr. McDONALD (Pictou).

settlement was had with the reporters and printers. Hence arose the necessity of taking sums out of the appropriations for one year to pay amounts due for the year previous. The actual cost of publishing the debates was, in 1877, \$15,356.66; in 1878, \$18,963.61; in 1879, \$16,130.18; in 1880, \$16,216.75. During the year 1877, up to the 30th June, there was only \$8,963.58 paid; so that for that year there was taken out of the appropriation of 1878, \$6,393.08. In 1878, \$13,971.20 was paid up to the 30th June, leaving \$4,992.31 to be paid out of the appropriation for the next year. In 1879, \$11,704 was paid, leaving \$4,425 to be paid out of the appropriation for the next year. In 1879-80 it was \$9,661.69, leaving a balance of \$6,568.81. The appropriation for 1880-81 is \$15,000, to which the hon. member for Centre Huron referred. Deduct from that \$6,568.81, which had lapsed, and it left an amount in the hands of the clerk of only \$8,401.19. The Supplementary Estimate of \$10,000 now asked for, makes up the \$18,401.19 which is required to pay for the reporting and the printing of the debates of last year, it being about \$3,000 more than the appropriation desired.

Mr. BLAKE. I confess myself entirely unable to understand how the legislative account has been worked for some years. I took occasion to look at it on finding this extraordinary proposal for \$10,000 for one year's expenses for *Hansard*, making in all about \$25,000. I found, when I got the return down, that the whole expenses for *Hansard* for that previous year were \$16,260, and consequently it cannot have been for that year. It appears now to have been for a series of years.

Mr. BOWELL. Not for a series of years. There is only \$15,000 taken for last year. On the 30th June, \$9,661 had been paid, the balance had lapsed. Then the accountant took this \$6,509.81 out of the appropriation for this year to pay the balance due on last year, and if you take that \$6,000 and the \$10,000, together with what had already been paid, you have the total of \$18,000.

Mr. BLAKE. As far as I can judge, if the strict course had been pursued that prevailed in former years, of assuming that all sums paid after the 30th June must be paid with the appropriation of the preceding year, the account would stand differently from what it does to-day. As the hon. gentleman stated, the account for 1877 indicated that the amount paid within the fiscal year was \$8,963. As I understand the hon. gentleman's statement, that \$6,393 was paid out of the vote for the next year. If so, there was also paid in that year \$13,971.20, actually paid in that year for the service of that year, so that the amount of \$6,393.08, which is said to have been paid out of the year 1878 for 1877, added to that which is said to have been paid in 1877 for the service of 1878, would be the sum in excess of the vote which was given for 1878, and I do not see where the money came, according to the statement. The hon. gentleman says \$6,393.77 was paid under the vote of 1878. I find it reached \$13,971.20 for the service of 1878, and was paid out of the vote for that year. The aggregate of these two would be a trifle over \$20,000 said to have been paid out of that vote, and that vote was but \$15,000. Where that \$5,000 came from there was no intimation. Then there is nearly \$5,000 paid for 1878 out of 1879.

Mr. BOWELL. It may be possible that if that statement was traced back it could be accounted for in the same way.

Mr. BLAKE. I think it is really deserving the attention of the authorities. We also find \$4,992 in arrear for the service of 1878, irrespective of that \$5,000 I have spoken of. That would be paid out of 1879, with the \$11,704 paid for the service of 1879. The aggregate of these two would make nearly \$19,000 alleged to have been paid out of the vote of 1879. But the vote of 1879 was but \$15,000, less by \$37,000 than the sum supposed to have been paid out of the vote of 1879. Then there was \$4,425 unpaid for that

year to be paid out of the vote for the following year. \$9,661 was paid in 1880, so that we come in pretty even to this very year in which \$10,000 is required. Now, I turn to the account, and I call the attention of the hon. Minister of Finance to the unsatisfactory mode in which the legislation account has been kept for a number of years. We get certain details in the Estimates of that account, but in the Public Accounts you have but a single lump sum given, without details of any kind. For 1877-78 the total amount voted for legislation was \$131,000, which included \$15,000 for the *Hansard*. The charge in the Public Accounts for that year is \$140,000, or \$9,000 in excess of the vote. Now we find that much more than \$9,000 more was expended, for it is alleged that the \$6,393 of *Hansard* money was not expended in that year, therefore there was really expended for the year \$146,000 odd as against the vote of \$131,000. For the next year the vote was \$177,000, and what is charged in the Public Accounts is \$142,914. For the next year \$133,000 is the vote, and there is charged \$174,000. So it seems to me these accounts require some investigation. We find that for these three consecutive years there is a charge in the Public Accounts, as having been spent on account of these votes, more than the whole vote which Parliament gave in each of these years, and aggregating in the three years to no less than \$17,000 of over-expenditure. In addition to that \$17,000 we are now asked for \$10,000 more for *Hansard* during the year. So there seems to have been some irregularity of some description in keeping these accounts, which requires further explanation before we come to concurrence.

Sir LEONARD TILLEY. The hon. gentleman will remember that this matter was brought before the Public Accounts Committee last Session. It has been the custom in the past, if the appropriation for one branch of the service was insufficient and there was a surplus in another branch, that the surplus has been used for the other service. During the present year, and by direction of the Public Accounts Committee, the whole of these accounts passed into the hands of the Auditor-General. The particular item to which attention is now called has been expended under a wrong head, and this is a difficulty that will be obviated in the future under the new system of auditing.

208. To provide for increase of salary to the Deputy Adjutant General in Manitoba ..... \$300 00

Mr. CARON. When Col. Osborne Smith went to Manitoba, he was promised command of the battalion which at that time existed in Winnipeg. Subsequently the battalion was disbanded, but as he had been promised the command, this \$300 was left to him as part of his payment. I may say it is not intended to continue the pay to his successor, Mr. Horton, who is coming from British Columbia to Winnipeg.

209. Contingencies—To provide for gratuities on retirement to the under-mentioned officers:  
 Lt.-Col. W. S. Durie, Deputy Adjutant-General, Military District No. 2 ..... \$3,400 00  
 Lt.-Col. J. Fletcher, C.M.G., Deputy Adjutant-General, Military District No. 5 ..... 3,400 00  
 Lt.-Col. J. H. Gray, Deputy Adjutant-General, Military District No. 12..... 1,700 00  
 Lt.-Col. J. Moffatt, Brigade-Major, Military District No. 1..... 2,400 00  
 To provide for removal allowance to Deputy Adjutants-General and Brigade-Majors..... 5,683 16  
 To provide for personal travelling expenses and cost of transport of luggage of each officer..... 1,816 84

Mr. ANGLIN. I suppose this arose from the shifting of the officers lately?

Mr. CARON. Yes. Several of these gentlemen have been several years in the service. Previous to my taking charge of the department, it was decided to remove the different brigade-majors and deputy adjutants-general who had been so long in the different districts, from one district to

another. It became necessary to provide for a number who, by reason of age or some other reason personal to themselves, were not able to accept the offer to remove. In the cases of Col. Moffatt, Col. Durie and Col. Fletcher, the annuity is for two years.

210. Amount required to cover cost of transport of military stores for equipment of Mounted Rifle Companies, organized for the protection of settlers in the North-West ..... \$645 75

Mr. CARON. This is for the transport of military stores by the Hudson's Bay Company from Winnipeg to Fort Carlton.

Mr. BLAKE. When did the transport take place, and under what circumstances was this force organized?

Mr. CARON. Under an Order in Council of the 16th August, 1879.

Mr. BLAKE. Was it in consequence of some Indian scare, or in pursuance of some policy of keeping up a mounted police force for the settlers?

Mr. CARON. At that time there was a good many rumors about of expected trouble among the Indians in that part of the country, and it was considered necessary to have some mounted troops. Of course, it cost very much less to provide for these than it would have cost for the mounted police.

211. *Intercolonial Railway*—Amount required to cover salary of Chief Engineer appointed for the settlement of old claims, salaries of Assistants, travelling expenses, Shorthand Writer, etc..... \$12,000 00

Mr. POPE. This includes the salary of Mr. Frank Shanly, as Chief Engineer, \$6,500; Mr. Ralph Jones, as Secretary, \$1,200; Mr. C. W. Shanly, Secretary, \$600; travelling expenses, telegraphing, &c., \$3,700. This is, of course, for this year.

19. To pay Mr. Girouard, for railway ties lost in transit in 1872..... \$2,640 00

Mr. POPE (Compton). The arbitrator, after examining into this matter, decided the claim should be paid.

Mr. ANGLIN. The ties when lost were the property of the contractors. They were being removed, when lost, to the place of delivery, and, therefore, the Government were not responsible.

Sir RICHARD J. CARTWRIGHT. Did not the official arbitrator refuse to recognize that claim?

Mr. POPE. I have no information about that. Mr. Cowan proved pretty satisfactorily the loss of the sleepers, and produced a letter from Mr. Stevenson to the effect that if Girouard proved the loss, he was entitled to payment.

Mr. COSTIGAN. It is the same question which was supposed at one time to have affected my seat in Parliament. I was notified that I was to be moved against for having violated the law relating to the independence of Parliament. It has just been stated that Mr. Girouard did not deliver the sleepers where they ought to have been delivered, and therefore he should not have been paid. He clearly established the fact that the sleepers had been delivered and received by the Government; and that it was, after it was so received, found necessary to remove the pieces to another portion of the work, and he was instructed so to remove them. He pointed out the danger to which he would not undertake the work unless the Government held him safe from all loss—on this condition he removed the sleepers. The hon. gentleman (Mr. Anglin), who knows the country, knows also that removing timber from the Bay of Bathurst would be hazardous in rough weather; rough weather did overtake him, and they were blown across to the Canada side and were lost. At the same time Mr. John-

son, a New Brunswick man, well known, had some contracts along the same line, which he sub-let, giving to these contractors the ties. One lot was got out and another delivered, but I fear describing them. The late Government paid for those ties, although they had not been delivered, and were not its property. They felt it was better they should lose the price of the sleepers. But there was a better case for Mr. Girouard, who had delivered his sleepers to the satisfaction of the Government inspector. They had been received and partly paid for, and at their request he charged them from that point. The hon. gentleman who now tries to find some fault or scandal in regard to this payment to Girouard, was very anxious, a couple of years ago, that he should be paid. The late Government brought him here, all the way from Kent. When they thought I was involved in that transaction, when the paper published by the member for Gloucester stated I had gobbled up \$7,000 or \$8,000 of the public money, he was brought up here to see if anything could be proved against me personally; but the moment I challenged them to prove anything, or proceed against me, and they found they could not, they took no further interest in the matter.

Sir RICHARD J. CARTWRIGHT. This is an utter and deliberate misstatement of the facts—an utter and deliberate falsehood. The statement made by the hon. member who has just spoken—that the reason why Girouard's claim was not paid—was, that the late Government, who intended to pay, would not do so because they could establish no claim against himself.

Mr. COSTIGAN. I dispute the right of the ex-Minister to stand in this House and accuse me of deliberate falsehood. I deny his right to do so; and he knows he would not dare to make such an accusation if he did not know he could shield and protect himself under the rules of the House. I express myself as clearly as I can, that he would not dare to make such a charge outside of the House.

Sir RICHARD J. CARTWRIGHT. I repeat, it is a false statement.

Mr. COSTIGAN. The hon. gentleman has forgotten, I think, what is due to the House in making use of such language. I repeat an interest was taken in Mr. Girouard at that time. I can go further, and state that the leader of the late Government declared a true case was made out against me, and that he would unseat me. That was the reason why I asked my hon. friends not to commit themselves to a whitewashing case.

Mr. ANGLIN. The hon. gentleman (Mr. Costigan) has given a version of the case not quite accurate. If it is true, as has been and is alleged, that Mr. Girouard delivered those ties in Bathurst Basin, I have no doubt he was entitled to his money. But it always seemed to me extraordinary if he delivered them there, and they were duly accepted in Bathurst Basin, that he should have undertaken the risk and trouble of moving those ties into the Bay, and along the coast, which is rather dangerous. He stated he was required or asked to do so by the officer. However, Mr. Stevenson has denied over and over again that he ever received or accepted the delivery of those ties in Bathurst Basin, asserting that he refused, positively, to accept their delivery there—that it was not the place where the ties were wanted—that he required to take them to Richibucto, and that on the way the ties were unfortunately lost. With regard to the statement of the member for Victoria (Mr. Costigan) that there was some effort made to involve him in this transaction, it is necessary I should say a few words in explanation. In 1877 Mr. Girouard applied to me to endeavour to obtain for him the sum he alleged was due on his contract for the supply of ties. I wrote him that I would be very willing to help him, and asked his account in order to furnish it to the department. He replied he kept

Mr. COSTIGAN.

none, and asked me to obtain a copy from the department. I received from the department the figures of the two contracts, the one in which Mr. Girouard was interested as a partner of Mr. Renaud, who was a member of the House, and the other in which the hon. member for Victoria was directly interested.

Mr. COSTIGAN. Why does the hon. gentleman state in the first place that Mr. Girouard was a partner of Renaud, and that I was directly interested in the other contract.

Mr. ANGLIN. I stated what at the time was the current opinion; I do not assert it myself, but there is some evidence in support of the probabilities of the case. Several large sums were drawn by John Costigan on account of the contractors. Girouard denied he gave any authority to John Costigan to draw some of those amounts, and claimed that several of those sums were still due him. If that statement was correct he was still entitled to this money. On his behalf I pressed that claim on the railway authorities, and called upon them to show whether Girouard ever had obtained those sums. I was met by the proper authority with the statement that he had in his possession a receipt in full for the settlement of Girouard's account and balance due, obtained from him. I then stated that if that was the case the claim could not be established, and wrote to Girouard to that effect. The following year I was rather surprised to learn that Girouard was in Ottawa, and I believe the hon. member had some business transactions with him. Possibly at his instance Girouard came up here. I had nothing to do with bringing him here. I said to Mr. DeVeber on the way that I thought there was no case, that I had taken a great deal of pains to inquire into the charges, and that I thought they could not be established. However, he thought it would be well to make further inquiry into the whole matter. Mr. DeVeber pressed his claim very strongly, and he finally demanded the production of a receipt in full, said to have been signed by Mr. Girouard. This receipt was looked for but could not be found, so that secondary evidence was required. Secondary evidence was produced, and Mr. Stevenson, as a witness, appeared and said that a receipt had been duly signed by Mr. Girouard. On the other hand, Mr. Girouard said he had signed a paper in blank after receiving a large sum of money towards closing the account, but that he had never willingly or knowingly signed a receipt in full, and that if such a receipt existed, it was not a paper which he had signed. Mr. Stevenson contradicted that statement, and said that the accounts had been fully gone into, that Mr. Girouard expressed himself as being fully satisfied with the amount, and that he signed a receipt in full. Mr. Duplessis, the accountant of the department, was then, unfortunately, sick of the illness of which he subsequently died, but he was applied to, and he wrote a statement, which I saw, declaring that he was present during the whole time that the settlement was made, that it was a settlement made in a regular way, that Mr. Girouard expressed himself as quite satisfied, and that he signed a receipt which was drawn up in a regular and formal way. I think I have heard it stated that Mr. John Costigan was present, and that he bore evidence somewhat to the same effect. So the matter stood, and so much was my entire connection with the whole affair. It leaked out that sums paid Mr. Costigan were paid without authority, but if such a rumor did leak out it was because Mr. Girouard made these statements within the precincts of the House, while he was here pushing his claim. I think it will be seen from the statement in the Minister of Railways' report that Mr. Girouard now claims over \$6,000, and it is possible that he claims some of the old sums which, he says, were paid without his authority. I had nothing to do with the matter further than trying to press Mr. Girouard's claim, while believing it was well grounded. I had no idea of hurting the hon. member for Victoria (Mr.

Costigan). I circulated no reports connecting his name improperly with the matter, and when it was stated on the hustings that these moneys were paid without authority, I attached no more importance to it than was absolutely necessary. The whole transaction seems to be one of a very extraordinary character. With regard to this particular payment, its justice or its injustice, its propriety or its impropriety, rests entirely on one single point, and that is whether Mr. Girouard did, as he alleges, and as Mr. Stevenson absolutely denies, make delivery of those ties to Mr. Stevenson on behalf of the Government at Bathurst Basin, and that they were lost. One gentleman says one thing, and the other says another, but I must say that the probability seems to be on Mr. Stevenson's side.

Mr. COSTIGAN. Of course, every hon. gentleman will accept the statement of the hon. member for Gloucester (Mr. Anglin) that he did not desire to do anything that would hurt my feelings, but it is rather a remarkable fact that in the Public Accounts Committee he stated boldly that two men then supporting the Government were bribed by this contract. Of course, the hon. gentleman would not injure anyone's feelings; perhaps on the ground that he imagines all feelings of delicacy and self-respect are concentrated in himself. However, he stated, as he now states, that Mr. Girouard, the member for Kent, was a partner with Mr. Renaud, and that according to public rumor I was directly interested, and that he was informed that I had drawn large sums of money without the authority of Mr. Girouard. He informs the House that he minutely examined all the papers. That I thoroughly believe, for I know that he did not leave a paper or a record unsearched with the view of having me unseated; but I think when he failed to find anything he would have been more generous if, instead of giving currency to rumors in his paper and otherwise, he had stated that, having searched all the papers, he had found that not a single dollar had been drawn by John Costigan.

Mr. ANGLIN. I did not say there was.

Mr. COSTIGAN. Of course not, but when he searched the papers and found nothing against me he should have had the generosity to say that he found the claim was not substantiated. There was nothing in connection with the contract that could effect anybody, and I will now state how far I was interested in the matter. Tenders were asked for ties for several sections on the Intercolonial Railway. Mr. Robert Connors, one of the largest of our lumber operators, tendered for four sections. Waiting for a reply he made no arrangements to go into lumber operations that year until the month of September or October, and finding that the contracts were not awarded, he entered into operations in the usual way of getting timber upon the St. John River. Afterwards one of the sections was awarded to him. He came to Grand Falls and asked me if I would manage the contract for him. I said I would, and I went as an agent to do his work—not for the first time, because for the last twenty years, more or less, I had acted for him in the same way. I went and superintended the work, but after we had got it going, I found that it was to his interest that he should get out of the contract and allow the other contractor to finish both sections. The advances which I drew, by power of attorney, from him were put into the business. The ties were got out, and handed over to Mr. Girouard on condition that he would supply the two sections, and draw all the money for them. I never drew a single dollar on account of Mr. Girouard's claim, and there was no question of my authority to draw the money on the other. When the ties were got out, it was found that there was a larger quantity at Bathurst than was required, and the Government found it necessary to take some of them to another place. Mr. Girouard found that there was no way of getting them there except by water, and Mr. Girouard, after pointing out the danger and risk there would be in

moving them in that way, undertook the work, and, as has already been said, he failed in the undertaking on account of a storm. Before this the Government had paid for ties which had been burned along the Intercolonial—ties which had never been delivered, and which they never expected to receive—and they paid for them simply on the evidence of witnesses who testified to the number of ties got out.

Mr. SNOWBALL. Was any action taken in reference to the claim of Mr. Jones, at Newcastle Station?

Mr. POPE. I have heard nothing about it since I came to the department. I do not know what Jones the hon. gentleman means.

Mr. SNOWBALL. He has a water mill in rear of Newcastle Station, and the water was drawn off for the use of the station. Will this case come before the Commission?

Mr. POPE. It is possible, but I could not give the hon. gentleman any information about it.

216. To pay J. B. Smith for fencing erected in 1872 for Intercolonial Railway .....\$1,891 50

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. POPE. This was an award of Mr. Shanly's. Mr. Smith was a sub-contractor under Summer and Somers. Mr. Smith performed this work, but was never paid for it by the contractors, and the Government is now paying him for it. It has been referred to the official arbitrators.

Sir RICHARD J. CARTWRIGHT. Was it refused and subsequently paid on reference to Mr. Shanly?

Mr. POPE. No; they found for Mr. Smith.

Sir RICHARD J. CARTWRIGHT. If they found for Mr. Smith I would like to know why it was referred to Mr. Shanly. The hon. Minister just informed us this was paid on Mr. Shanly's award.

Mr. POPE. The hon. gentleman knows that in all cases that are referred to one official arbitrator, it is not for his decision but for report to the hon. Minister. The report was in favor of Mr. Smith, afterwards it was referred to Mr. Shanly, and he decided in the same way.

Sir RICHARD J. CARTWRIGHT. I do not think the hon. gentleman is quite right in saying that in all references to an official arbitrator it is for him to report to the hon. Minister.

Mr. McDONALD. The report is to be made to the hon. Minister, and the hon. Minister is to pronounce on the finding of the Board. There is an appeal from the one arbitrator to the whole Board.

Mr. BLAKE. Then if that is so, it is obvious that the decision of the one arbitrator is not a decision from which the party may appeal to the whole Board. Did Mr. Girouard appeal from Mr. Cowan's decision? Are you going to produce Mr. Cowan's report before concurrence?

Mr. POPE. It is on the Table.

Sir RICHARD J. CARTWRIGHT. Will the hon. Minister inform us why Mr. Smith's claim was not paid between 1872 and 1881.

Mr. POPE. I cannot say.

Sir RICHARD J. CARTWRIGHT. There must have been some substantial ground alleged why this was not settled. No doubt the claim was frequently presented.

Mr. POPE. I have received no information, nor seen any documents giving me any information on that point. I can only say that the official arbitrator who acted upon this, reported favorably, as did also Mr. Shanly. The circumstances as I learn them from the department, are simply that Mr. Smith was a sub-contractor under Sumner and Somers, that he performed this work, that the contractors were never

paid for the work, and that the sub-contractor is now being paid for it.

Mr. BLAKE. Sumner and Somers were the contractors for the Government, and I think they brought forward a claim under that contract, a very large contract. The name of the firm is familiar to me. I think that Sumner and Somers had a claim which the Government disputed, that they filed a petition of right, and that it was found in the courts that there was nothing due them. Now we find that this claim of their sub-contractors against themselves is paid. It seems to me that there is no claim of this man's against the Government at all, from what the Minister has stated.

Mr. POPE. He claimed after their failure.

Mr. BLAKE. He had no claim in law nor in equity.

Sir RICHARD J. CARTWRIGHT. Practically, the Government has paid twice over for this work.

Sir JOHN A. MACDONALD. I am quite sure that cannot be the case, and I have no doubt my hon. friend, (Mr. Pope) on concurrence, will be able to show that it is not the case. At present it appears that they were not paid for this work, that the work was done by Mr. Smith and was paid for, and I am quite sure that if he is paid, Sumner and Somers will not be paid.

Mr. BLAKE. I have no doubt Sumner and Somers will not be paid, because, from my recollection of the nature of the claim, they have been paid everything that was due to them. I do not think it is very satisfactory in reference to an item of this description, paid in this way, that we should be told that we must take it on trust now and that we may get information on concurrence. I think a Minister who proposes to Parliament to pay a ten-years-old claim ought to be ready now, in Committee, to give us information. The hon. gentleman has not given us satisfactory information; even his leader says he will satisfy us on concurrence, which means that we are not satisfied yet.

217. Rivière du Loup Branch—Additional amount required for repairs and improvements.....\$140,000 00

Mr. POPE (Compton) This amount has been already expended. The items are as follows:—Tracklaying and ballasting, \$78,454.91; station buildings, \$54,992.37; rails and fastenings, \$90,006.69; sleepers, \$2,254.45; fencing, \$5,024.09; bridges, culverts, &c., \$8,887.95; water service, \$2,651.81; snow protection, \$677.96; miscellaneous, \$14,102.32;—making in all \$256,179.25. A former vote was \$116,000, leaving this appropriation to make up the balance.

Sir RICHARD CARTWRIGHT. How does this branch pay?

Mr. POPE. Its revenue exceeds the expenditure. The whole cost of the branch, when it is provided with the rolling stock we propose to ask the House to give us authority to purchase, will have amounted to about \$20,000 a mile.

218. Canadian Pacific Railway—Amount required for purchase of Prince Arthur's Landing and Kaministiqui Railway..... \$14,000 00

Mr. BLAKE. When was the arrangement made for the purchase of that railway, and under what authority?

Mr. POPE. The purchase was made on the 20th May, 1880, under authority of an Order in Council, dated 30th October, 1880. This money was appropriated under the authority of the Canadian Pacific Railway Act, for the purpose of placing the terminus of the Canadian Pacific Railway at Prince Arthur's Landing, which the Government to be a better place for it than Fort William. The amount paid for the railway was \$14,000; it originally cost \$68,000.

Mr. BLAKE. But the hon. gentleman spent more than \$14,000 upon the road.

Mr. POPE (Compton).

Mr. POPE. We took up the iron rails and put down steel rails in their places.

Mr. ANGLIN. Can the hon. gentleman tell us how much the Government expect to spend for the erection of piers and breakwaters, to make Prince Arthur's Landing a good harbour?

Mr. POPE. Not one dollar.

Mr. DAWSON. Prince Arthur's Landing is not, as it has been represented to be, a place requiring any very great expense to make it accessible, because it is so well guarded that open row-boats have ridden at anchor there during the whole period of navigation. It could be made an excellent harbour at a very slight cost.

221. New Brunswick.—Woodstock Post Office, &c., &c., additional amount required for site.....\$2,500 00

Mr. KILLAM said that the Customs duties at Woodstock did not exceed \$9,000, and the post office revenue was very slight, yet the Government would be paying equal to a rental of \$1,200 a year for this new building. Suitable buildings could be got for \$200 or \$300 a year rent. At Yarmouth, whose Customs revenue was \$60,000, the total amount paid for a building yearly, with fuel, &c., was \$600 or \$700.

Mr. DOMVILLE said that Woodstock was a flourishing place, and a suitable building was required for the Post Office and Custom House.

Mr. KILLAM confessed that he had never been in Woodstock, and perhaps might be applied to himself with regard to Woodstock, the saying of an American that "Herodotus might have died a miserable death because he had not seen Duluth." No doubt the erection of this expensive building where there was no necessity for it would make political capital for the hon. member for Kings.

223. Québec—Grosse Isle Quarantine Station.—To pay Messrs. Piton & Co. in full settlement of all claims made in connection with buildings erected by them since June, 1873..... \$2,215 99

Mr. LANGEVIN. This work was continued after we were out of office by the hon. gentlemen opposite until the end of 1875. Previous to that, in 1874, a contract had been taken by Piton & Co., and afterwards they were again entrusted with a portion of that work. Finally they claimed \$15,000 for damages, and \$5,596 for extra work. The thing lingered down until I became head of the department, when, on the department being threatened with a lawsuit and heavy expenses, I directed the Chief Architect fully, and I called upon the claimants to see whether they would consent to have the case referred to me for final decision instead of going to law. They entrusted it to me; the Chief Architect took up the matter, and, after all the calculations were made, instead of \$20,596, the amount awarded to these gentlemen was \$2,215.79. I thought it was a good settlement, and an Order was passed in Council to that effect.

Committee reported.

#### MOTIONS FOR RETURNS.

The following motions for returns were severally agreed to:—

Copy of statement of receipts and expenditures of the Great Western Railway Company, in respect of Port Stanley Harbor for the past year; also, copies of all correspondence relative to the loss of the tug-boat *Hall* in Port Stanley Harbor, in November last.—(Mr. Casey.)

Copies of all communications to the Government or any department thereof, since the last Session of Parliament, the subject of the navigation of Hudson Bay.—(Mr. Schultz.)

Return showing the quantity of wheat imported into the different Provinces of Canada for consumption, and the

amount of duty paid thereon, from the 21st of April to the 1st of December, 1880; also, statement showing the quantity of flour imported for consumption and the amount of duty paid thereon during the same period.—(Mr. Wheler.)

Copies of all correspondence and papers between any members of the Canadian Pacific Railway Company and the Government, or any members thereof, during the debates on the Canadian Pacific Railway contract or subsequent thereto, not already brought down; and particularly for any agreement made during such debates as to undertakings to be entered into with the Government of Canada upon the organization of the company.—(Mr. Blake.)

Return of all tenders forwarded to the Department of Marine and Fisheries for the construction of new feathering wheels, surface condenser and repairs to the engine of the Government steamer *Druid*; names of successful contractors, their bondsmen, or amount of money deposited as security; engineers' reports and all correspondence relative to said work.—(Mr. Landry.)

Return of all reports respecting the condition of the engines and boilers of the Government steamer *Napoleon III.*, since 1st January, 1878; also copies of tenders for new engines and boilers, and all correspondence with tenderers and the agent in Quebec since the same date; the cost for repairs to her old boilers and engines for 1880; probable cost for repairs to same for 1881, and copies of reports stating the condition of the old boilers and engines after such expenditures.—(Mr. Landry.)

Correspondence with the Secretary for the Colonies relating to the Canadian Tariff on woollen goods; also for a memorandum of the Yorkshire Chamber of Commerce upon the same subject.—(Mr. Mills.)

Correspondence between the Department of Railways and the Council of the City of Winnipeg on the subject of the Louise Bridge.—(Mr. Schultz.)

Names of persons in the North-West Territories returned by Commissioner as entitled to receive half-breed lands or scrip.—(Mr. Schultz.)

House adjourned at 2 o'clock, a.m.

## HOUSE OF COMMONS.

TUESDAY, 15th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### DRAWBACKS.

Sir LEONARD TILLEY introduced a Bill to provide for the allowance of drawbacks on certain articles manufactured in Canada and used by the Canadian Pacific Railway Company.

Bill read the first time.

### MESSAGES FROM HIS EXCELLENCY

Sir LEONARD TILLEY presented two Messages from His Excellency the Governor General.

Mr. SPEAKER read the Messages as follows:—

"Lorne,

"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, 1881; 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, 15th March, 1881."

"Lorne,

"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, 1882; and in accordance with the provisions of "The British North America Act, 1867," he recommends the Estimates to the House of Commons.

"GOVERNMENT HOUSE,

"OTTAWA, 15th March, 1881."

Sir LEONARD TILLEY moved that the Estimates accompanying the Messages be referred to the Committee of Supply.

Motion agreed to.

### IMPROVEMENT OF THE NAVIGATION OF THE ST. LAWRENCE.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolution:

That in order to assist the Montreal Harbor Commissioners in the improvement of the navigation of the St. Lawrence below Montreal, it is expedient to amend the Act Thirty-sixth Victoria, Chap. sixty, by providing that the rate of interest payable by the said Harbor Commissioners to the Receiver-General upon the sums raised under the said Act shall be four per cent. per annum, instead of five, and further by repealing the provisions in the said Act contained, relating to payments by the said Harbor Commissioners for the formation of a Sinking Fund.

He said: Before Mr. Speaker leaves the Chair, I desire to make a short statement with respect to the object which the Government has in view in submitting this resolution for the consideration of the House. It has been generally admitted, I think, by hon. members on both sides of the House, that it is exceedingly desirable, as far as it is within the power of the Dominion Parliament, to increase every facility that can possibly be given for the improvement of the navigation of the rivers and harbors throughout the length and breadth of the Dominion. The Commissioners of the Harbor of Montreal have been for sometime pressing on the consideration of both Governments, the propriety of relieving, as far as possible, the shipping entering the harbor of Montreal, and thereby relieve the whole of the exporting industries from charges on shipping arriving at that port. This matter was presented to the Government very strongly by the Commissioners, and the Government were urged to assume the whole responsibility of the existing debt upon the work, amounting to \$1,500,000, for which the Commissioners are paying the Government at the present time, under the Act referred to, five per cent. The Government felt, under existing circumstances, anxious to co-operate with the Commissioners, but felt they could not consistently at this time add to the permanent debt of the country, \$1,500,000; but, inasmuch as the Government are in a position at the present moment to obtain money at four per cent. instead of five per cent. or six per cent. paid at the time this obligation was entered into, it was thought desirable to ask Parliament to relieve the Harbor Commissioners to the extent of reducing the interest from five per cent. to four per cent., and relieve them from the obligation to pay one per cent. on account of Sinking Fund. If the resolution is adopted it will relieve the Commissioners of an annual payment of \$30,000. It is proposed, in addition to that aid, that the Government should act as they have done in respect to various harbors in the Dominion—assume the annual expenditure which is estimated at \$7,000, for buoying the St. Lawrence between Montreal and Quebec. On those two items direct relief to the extent of \$37,000 a year would be given to the Montreal Harbor Commissioners, and with the surplus they have at present from the increased shipping arriving at the port, and which will, I am satisfied, go on increasing, the Government believe the Commissioners will be able to reduce the charges on vessels entering the port next year, to the extent of, I believe, \$60,000 or

\$70,000. This is as far as the Government feel they can consistently go at the present time. Practical relief will thus be afforded not only to the ships entering Montreal harbor, in the form of reduced charges on vessels arriving there, but the cost of shipments from the West to Europe will also be reduced; and therefore the Government trusts that, in submitting this proposition, it will receive the unanimous assent of hon. members on both sides of the House.

Mr. COURSOL. I think that hon. gentlemen on both sides of the House will accept this resolution as being a step in the right direction. I regard them, however, as only one step, as I fully expected ere now a great deal more would have been done to relieve the Harbor Commissioners of Montreal from the enormous expenses they have to pay in the shape of interests, for what, I believe all will admit, is a national work. The deepening of the Lake St. Peter channel is not in the interest of Montreal alone, and was never claimed to be so. I, as one of the representatives of that city, in urging upon the Government the relief of the city from this burden, did so on the ground of its being in the general interest of the country at large. The work was no more of a local character than the deepening of the canals in the Province of Ontario, or than the works which were performed below Quebec, or the improvement of navigation in any other part of the Dominion. I trust that the Government having entered upon this work, will shortly see that they can go much further in the same direction in the public interest. In these days of railways, telegraphs, and improvements of all kinds, if we want this country to maintain its just position of influence we must put trade on a proper footing. As long as we allow our neighbors to monopolize the carrying trade we shall always be kept in the back ground. We have already spent enormous sums on our canals and the St. Lawrence water route, \$50,000,000, I am told, by an hon. gentleman who has spent a great deal of time and done a great deal for his country—I mean the hon. member for Gaspé (Mr. Fortin). If we had taken the proper course in season and had widened our canals we would have been able to take the largest share of the trade from the Western States and Manitoba. But we have done so only partially and began too late, for when the Americans saw that we were going ahead, desirous as they were to monopolize the trade of the Western States and not allow a bushel of grain to go through Canadian waters, they passed a law abolishing tolls on the Erie Canal, so that boats only pay on arriving at Buffalo, while the return charge is abolished. Boats can now go down to New York and when they come back they have no toll to pay, the boats thus making a clear profit on the return trip. Since this arrangement the bulk of trade has been greatly in favor of the Erie Canal. Formerly 6 cents per ton, of 33 bushels, were charged on this canal, but now the toll has been reduced to one-half that rate. On our canals we have to pay over 40 cents per ton, which places us in a very inferior position. I think we ought to abolish this charge entirely, and I believe that before long this House will be unanimous in supporting such a scheme. All parties in Quebec and the leading commercial men of all parts of the country are unanimous in looking upon the deepening of Lake St. Peter channel as a Federal scheme, and I have no doubt that we will see it considered in that way by the Government before long. I will now read an article from the *Toronto Monetary Times* :

"It is more important to make the best of the navigation of the St. Lawrence, upper and lower, during the open season. The debt created by improving the navigation of Lake St. Peter, may properly be assumed by the Government, as there is every prospect that it will be."

When a paper of this weight in the city of Toronto gives such an opinion, it may fairly be set against the opinion of other newspapers who only see in Montreal a rival seeking solely her own interest, being unable to understand that

Sir LEONARD TILLEY.

the merchants of Montreal are patriotic enough to desire the welfare of the whole country as well as of their city. In another paper, the *Journal of Commerce* of Montreal, I find the following on this very question :

"We should imagine that when so many works of a local character are undertaken by the central Government there ought not to be a second opinion as to the propriety of relieving the Port of Montreal of the burden of deepening the channel of the River St. Lawrence, and more especially as it falls on the trade of the entire country west of Montreal. The subject has been brought fully under the consideration of the Minister in elaborate reports from the Harbor Commissioners and the Board of Trade, and the important questions of pilotage and towage have also been treated by those bodies. It is by no means surprising that foreign vessels avoid the St. Lawrence where a towage system which can only be described as grossly fraudulent, is tolerated. The Harbor Commissioners report that about the year 1874 the tugboat owners agreed upon a tariff, which was considered very high by the shipowners, who obtained discounts, until the Tariff was practically abandoned."

Another paper called *Le Moniteur du Commerce*, a new paper started in Montreal, and which is calculated to exert a great influence as a commercial authority, gives some figures which have not yet been published so far in any other newspapers. I will read them :

"The different tolls which a ship of 1,000 tons and its cargo have to pay at Montreal, are as follows :—

<i>Port of Montreal.</i>	
Hospital and Police, 2 cents a ton.....	\$20 00
Wharfage $\frac{1}{2}$ cent. per ton per day (10 days)...	25 00
Tax upon 800 tons of wheat, 25 cents per bushel of 60 lbs. ....	67 00
Loading, $\frac{1}{2}$ cent a bushel upon 26,666 bushels	134 00
Pilotage (18 feet of water), Montreal to Quebec	36 00
Pilotage, Quebec to Father Point.....	57 00
Towage .....	300 00
Total.....	\$639 00

<i>Port of New York.</i>	
Police and Hospital, etc.....	\$23 00
Wharfage, (10 days) .....	70 00
Loading at \$7 per 1,000 bushels.....	182 00
To the Harbor Master.....	20 00
Pilotage.....	73 00
Towage .....	35 00
Total.....	\$403 00
Difference against Montreal .....	\$266 00

Now, Mr. Speaker, these figures cannot be contested. The Port of Montreal is twice as costly to shippers as the Port of Boston, and four times as costly as the other ports in the United States. The moment our ports are sustained by Dominion funds, we shall get a large share of the traffic which now goes through the Erie Canal. Barges capable of carrying 150,000 bushels of wheat are being built for the Lake Superior trade, and they pass down by the Sault Ste. Marie and through the lakes. It behoves the commercial men of this country to join their efforts with the view of obtaining from the Government by all reasonable means this concession. Representations have been made to the Government on this matter, but, unfortunately, the resources of the country appear to be in such a state that this measure cannot be accomplished now. The sooner we take hold of this question with a firm hand, the better. My colleagues from Montreal and myself have been charged with having neglected the interest of our constituents in not taking the proper steps, to obtain our wishes. I think I may appeal in confidence to the hon. leader of the Government, the hon. Finance Minister, and every member of this Government—

Sir JOHN A. MACDONALD. Hear, hear.

Mr. COURSOL. To say whether I have not done everything in my power in the interests of Montreal and the whole country. In order to show that the work of deepening Lake St. Peter was undertaken by the Government, I

have only, in closing, to read from a report published in 1879:

"The work of improving and deepening the navigation between Montreal and Quebec has been carried on, partly by the Government and partly by the Commissioners authorized by Government, or by the Commissioners acting as agents of the Public Works Department since the year 1841. In that year an Act was passed, authorizing its prosecution by the Board of Works; but after the expenditure of about \$300,000, it was abandoned, and nothing further done till 1851, when an Act was passed authorizing the Harbor Commissioners of Montreal to undertake the improvements. This action was largely the result of persistent efforts made by the late Hon. John Young, who claimed that the Government plan of operations had been defective, and that the work was quite feasible, in which view he was supported by the opinions of eminent engineers, Messrs. McNeil, Childs, Gzowski and the late Sir Wm. E. Logan, who reported on the subject and operations were accordingly recommenced on the 12th June, 1851, and in November of that year a channel had been successfully completed, having a minimum depth of 14 feet with 12 feet on the flats of Lake St. Peter, thus securing an improved navigation to the extent of 2 feet draught of water in the short period of five months.

"In 1865, the channel of 20 feet deep, and 300 feet wide was finished and tested, though it took a considerable period to accustom pilots and shipmasters to its use."

This proves that Governments were not proceeding with the work as rapidly as they should have done. The Harbor Commissioners, assisted by the advice of the late Honorable John Young and others, spent a great deal of time and energy upon it, and succeeded in bringing the tidal navigation 180 miles higher up the river, that is to Montreal, benefitting, not only the merchants of Montreal, but every merchant in the upper Provinces and the country at large. I will vote for this resolution, but, next year, I trust that the Government will see their way to taking the Lake debt entirely under their charge.

Mr. RYAN (Montreal). The resolution now before the House, I am free to admit, will afford substantial relief to the Harbor Commissioners of Montreal to the extent of \$37,000. This is not a new question; it has agitated the minds of the commercial men of Canada, and the various Parliaments of Canada, for the last forty years. The question of improving the navigation of the St. Lawrence between Montreal and Quebec began in 1841. Between that date and 1851 the Government spent \$300,000 in the effort to improve the channel, particularly that portion known as Lake St. Peter. In 1851 an Act was passed by the Legislature authorizing the Harbor Commissioners of Montreal to go on with the work, and so borrow money for the purpose. Up to 1860 they expended \$1,200,000. The Government of 1860 assumed \$900,000 of that debt, and in 1865 the Harbor Commissioners spent \$300,000 more to deepen the channel to twenty feet. It is a great mistake to say that this is a Montreal question. It does not affect Montreal or the Province of Quebec alone, but the Dominion at large; and if any Province more than another is going to benefit by the completion of this great public work, it is the Province of Ontario, which exports a large quantity of goods in excess of its requirements. Therefore the size of vessels has been increased to a very great extent, so much so, that Allans, Rae & Co., the largest steamship owners in the country, have recently constructed a vessel for this trade, of over 5,000 tons burthen. The Harbor Commissioners of Montreal found it necessary to have the channel further deepened to twenty-five feet, and the Legislature passed an Act in 1873, authorizing them to prosecute that work, for the cost of which the Government of the day agreed to advance them the money at five per cent. interest. The Harbor Commissioners expect to have the channel completed to a depth of twenty-five feet this year. I am glad to know that the hon. leader of the late Government in his place in the House, expressed the opinion that this was a public work, one that ought to be charged to Consolidated Revenue equally with any expenditure for enlargement of canals, and in 1880 on the occasion of the

visit of a deputation from the West to press on the Government the necessity of assuming this debt, as well as to abolish, if possible, the toll on our canal system, he expressed himself to the same effect. I am sorry to say, however, that the *Globe* has thought proper to attack the Government when it appeared probable that the Government would assume this debt. The *Montreal Herald* thus replies to the *Globe* attack:

"If Ontario has any interest in opposing the assumption of the Lake St. Peter debt, the reasonable conclusion would be that the *Toronto Globe* might confine its discussion of the subject to the limits of that Province. The last effort is an indirect appeal to the city and district of Quebec to make demands upon the Government which have already been assumed. The *Globe* says:—'In view of the attempt to foist the St. Peter's channel debt on the Dominion, the merchants of Quebec insist that the Government shall assume the cost of the ancient city's harbor improvements. Their demands are as just, and no more so, than those of Montrealers.' Our contemporary must be aware that the Government has already practically accepted the situation, so far as the harbor of Quebec is concerned, and we are not aware that that port has any demand to make, arising out of a set of circumstances similar to those in connection with the channel debt. The *Globe*, wilfully, we regret to say, goes out of its way and grossly misrepresents the facts when it mixes up the harbor of either Montreal or Quebec with the improvements in the lake and river. Why not argue the Lake St. Peter question on its merits, and without going to Quebec for assistance in a cause which Ontario should be ashamed to oppose, through the medium of the *Toronto Globe*. We have never asked one cent from the Government towards the maintenance of the harbor of Montreal, and more than that we have no intention of making overtures to Ottawa to assist us in carrying out our own legitimate work. But why should Montreal be taxed for creating a water stretch 181 miles to admit of vessels of 5,000 and 6,000 tons, as against 400 tons at the period of commencing the scheme? Who is deriving pecuniary benefit from this great undertaking but those who are trading in the West and North-West? And yet we are, because of the petty jealousy of the press of Ontario, to be obliged to carry a load which really should be borne by the whole Dominion—at least Toronto ought to be the last quarter from which we should anticipate such unfriendly criticism. The *Globe* again says:—'If the Dominion should make a present to Montreal, why not to Quebec and hundred other places?' Quebec is not entitled to any consideration for deepening or improving the River St. Lawrence which she has not received, and we do not think the Provincial Capital will make any demand on that score; though the *Globe* would gladly encourage that city to raise a claim if its effect would result in the burking of any measure of relief for Montreal. We make the declaration again, that we desire no aid to maintain the efficiency of our harbor, and we hope the *Globe* will cease asserting that our memorial to the Minister of Public Works embraces the harbor, or any portion of it. Toronto has had public money spent upon its harbor, but Montreal has always taken care of its own and intends to do so in the future. The Harbor Commissioners of this port might as well be asked to pay the interest on the cost of the construction of the Intercolonial Railway, which was built as much to gratify Ontario (the Province which forced us into Confederation) as the Maritime Provinces. Halifax is to have \$30,000 expended on elevators. We offer no objection; but why not call upon Montreal to pay the interest on the outlay? Quebec has its graving-dock, Dufferin Terrace, fortifications and harbor provided for. Toronto has had over \$30,000,000 expended on canals in order to reach her by water, thereby cheapening transportation. The *Globe* further declares that Montreal undertook this great work for its own gain. The work was undertaken for the Government, and has been recognized as a public improvement since the first dredge was placed on the lake, and whatever indirect advantage the port of Montreal may have derived, it cannot be compared to the extent to which it has promoted the commerce of the West. Our contemporary, in closing its comments, says:—'Were the existing order disturbed by throwing the St. Peter's debt on the Dominion, the Government would have no resource but to increase the public debt enormously by assuming the cost of past works, future improvements, and maintenance of all the harbors.' We repeat that those lines are intended to convey an erroneous impression. Our harbor debt is not before the Government for consideration, and the question of making Montreal a free port remains to be discussed in the future, and it is not intended to approach the Federal Government. We are, however, entitled to every farthing we have asked, and, if the truth were known, the *Globe* should be the last newspaper in the Dominion to retard the national progress, though it occasionally can only see, and dimly, too, sometimes, through King street glasses. After all, it looks as though the hon. Minister of Public Works was going to cheat us out of our rights. The Bill, which was promised two weeks ago, has not yet been brought down, and our three representatives seem to have lost sight of the measure, not one of them having done battle for their constituents so far.

Although the action of the Government will relieve the harbor to the extent of \$37,000 a year, and no doubt benefit its trade, it will entail upon the Government only a charge of \$7,000 a year, because they can borrow, at reduced interest, all they want at five per cent. Yet I am happy to say that, owing to the increase in the revenue of the Port of

Montreal and this proposed reduction of \$37,000 in its charges, the Commissioners anticipate a gain to the harbor of \$100,000 this year, in excess of the estimate of the Finance Minister. I am justified in making that statement on reference to the enormous increase in the trade of the port that has of late taken place. Doubtless with the reduction of the charges, we shall see a further increase of the trade. The amount of tonnage for the last few years was as follows:—

Ocean Vessels arrived at Port of Montreal in :

Years.	No.	Tonnage.
1878 .....	516 .....	397,266
1879 .....	612 .....	506,969
1880 .....	710 .....	628,271
1880 Increase on 1879 23·90 per cent.		
“ “ .....	1878 58·14 “ .....	

Inland Vessels arrived at Port of Montreal in :

Years.	No.	Tonnage.
1878 .....	5,202 .....	764,243
1879 .....	5,698 .....	817,243
1880 .....	6,489 .....	1,044,380
1880 Increase on 1879 27·80 per cent.		
“ “ .....	1878 36·65 “ .....	

Total Vessels arrived at Port of Montreal in :

Years.	No.	Tonnage.
1878 .....	5,718 .....	1,161,509
1879 .....	6,310 .....	1,324,213
1880 .....	7,199 .....	1,672,651
1880 Increase on 1879 26·30 per cent.		
“ “ .....	1878 44 “ .....	

In reference to the question of making Montreal a free port, when the deputation to the Government last year urged that scheme, and the western deputation pleaded for the reduction of the tolls upon the canals, and towage and other charges, many leading merchants of Montreal thought it would be desirable for the Government to assume the whole harbor debt of nearly \$1,900,000, incurred for the deepening of the channel to Montreal. Many of the largest proprietors of real estate felt it would be in their interest to exert their influence in the corporation, to secure its assumption of the debt of the Montreal harbor proper. The Harbor Commissioners' debt forms a different account, being for the deepening of the harbor between Montreal and Quebec, the other debt being for the improvements within the harbor itself. This debt for the harbor improvements, which I hope the Government will never be asked to assume, reaches \$1,883,000. Had the Government assumed the whole of the other debt, such arrangements might be made as would enable the city to assume the harbor debt proper. However, I do not think the Government will at present go so far; but they have made one step in the right direction, and made a reduction which will afford a very sensible relief. The Commissioners may not be enabled to make such reductions as will greatly assist the port trade. Last year they expended \$20,000 for the erection of permanent sheds for the better accommodation of the cattle trade, so progressive of late which has recently assumed gigantic dimensions. I am further informed that they contemplate building a wharf for this trade, specially, to cost \$100,000. Surely the hon. gentlemen can see this is not purely a local question, that the whole country is interested in those increased facilities for its trade and no Province more than Ontario. The number of cattle exported from Montreal in 1879, was 26,176 head, and last year, 1880, 50,817. Total value of live stock exported in 1879, \$2,681,090; in 1880, \$4,100,360, increase of nearly 100 per cent. in a year. I am certain that the trade will go on increasing, and that it will be very much greater next year, especially if the embargo on American cattle should be taken off in England, so that this cattle trade should come by the St. Lawrence

Mr. RYAN (Montreal).

route. In that event I believe the increase would be fully 100 per cent. I trust that by this time next year the Finance Minister and the Government, of which he is so distinguished a member, will be prepared, not merely to give the sum of \$37,000 to this purpose, but to deal with the whole subject successfully. I am satisfied that if he does, no measure which has ever been passed by this or any other Government would receive a more hearty and general support by the whole Dominion of Canada.

Mr. McLENNAN. If this were a question of whether or not the Harbor Trust of Montreal should have some relief in prosecuting their improvements, I do not know that it would become me to take any part in the discussion, but I believe the question is one of great importance, far beyond any interest which the harbor of Montreal has in comparison with any other place where ships lie. I think, Sir, it is a question which does not merely affect the harbor of Montreal, nor the Province of Quebec, but that its great interest applies to the whole Dominion of Canada; in the first place, perhaps, is the Province of Ontario, which is now the largest producing Province, and by-and-bye it will apply in a still greater measure, I believe, to the great North-West, when that country comes into line, and comes to be a large exporter of produce. And it is a question as to whether we shall keep the ground upon which we have so well entered in this country, as a country, and, moreover, a greater, whether, following the example of our Mother Country, we shall maintain the proud position we have already achieved in connection with the business of navigation. We stand at this moment the fourth marine power in the world, which is a pretty big thing to say for the young Dominion of Canada. The ingenious author of “Endymion” has said it was a clever thing of Great Britain to assume the sovereignty of the seas, because upon the surface of this globe there is more water than land, and, therefore, it assumed a very large extent of sovereignty. I hope we shall be able to take our part in that great sovereignty, because on our side of the globe we have a great deal of water too, and up to this time we have been making a good use of it. The question in respect to this deepening of Lake St. Peter, is the question whether we shall bring the sea 200 miles nearer to the heart of the Dominion than it would have been in its natural state, and I think, when it is considered in that point of view, it will be admitted at once that this is the very greatest national question we can discuss at this moment. When the canal system of this country was begun some years ago, we had no railways to speak of, and I think it happened fortunately for the country that a great deal of energy and a great deal of money was devoted to making these public highways. There was an idea maintained some years ago that we could get by our water communication a greater breadth and sweep than appears likely from the situation of things to-day. There was an idea at one time that we could connect, by means of our canals, our lake navigation with the ocean. Experience has led us to abandon that prospect, and we must be content to-day to bring the ocean as near to the lakes as we can, and I think everybody who has considered the subject, will admit that once we make that connection with the harbor of Montreal we have met the sea—so far as we can go to meet it from the inland waters. It is true we have continued improving our canal navigation, and we hope, some day, to have a communication, with twelve feet of water, reaching to Montreal; but it is well ascertained now that a navigation of twelve feet is not a navigation that can be used upon the Atlantic Ocean. All the experiments have established that point beyond controversy. The tendency as a result of these experiments has been to increase the size of the vessels coming to meet us in the harbor of Montreal, and the problem now is to cheapen the process for the larger class of vessels. And I find as a result

of these experiments, that the size of these vessels has been increasing year by year. I find, by a statement made up by the Harbor Commissioners of Montreal, that in 1874 that port was visited by 731 vessels, averaging 590 tons. In 1879, five years afterwards, 612 vessels—a smaller number—visited the port, but their average tonnage was 828 tons, showing a very rapid rise in size. Still further, the following year the 710 vessels that came into that port averaged 885 tons. It may be stated, however, that a much larger bulk of the traffic is performed by steamships of a very much larger size than these averages. The average size of the steamers in 1880 was 1,341 tons. It happens, however, that all the trade of the port cannot be accomplished, as I shall presently have occasion to show, by these large steamers. They may serve the larger purpose of carrying the great productions of trade between the Port of Montreal and the great ports of Liverpool, London and Glasgow, to which the large volume of trade concentrates; but it is very necessary that the smaller class of vessels should be maintained in the trade, for a great many of the services have to be performed to out-ports and ports of call to which our cargoes of produce are so often consigned. The question that meets us in connection with this traffic is that of the competition with the Atlantic ports of the United States, for which it is not necessary to improve 200 miles of inland navigation in order to reach them, and we find this competition is very sharp and it is growing. Before looking at some comparisons of the cost of tolls and charges on goods coming by way of the Atlantic ports, I may state that in this competition we meet a people very much older than we are. Fifty millions of people, whose capital is ready for use in every venture of trade, is very much more in proportion than fifty millions against four millions, because they have not only the accumulation of fifty millions as compared with four millions, but they have the accumulation of the capital that results from fifty millions who are a great deal older and better established in their position than our four millions. And we have to compete with them in the face of the fact that whereas we are beginning with our best means and resources to export a good deal of the produce of this new country, our imports are very much smaller than theirs, and we have not only to compete with them for the carrying of our produce outward, but they are competing very closely with us for the carrying inward of our own very moderate imports as well as theirs. I will quote some statistics that have been prepared by the Secretary of the Board of Trade of Montreal, who has discovered among other things that the through rates of freight for merchandize, for instance, from Great Britain to Toronto or other ports in Ontario, are practically the same, whether the ocean terminus is at New York, Boston or Montreal. There are no wharfage rates on imports at either of the two former ports, New York or Boston, on merchandize *in transitu* to inland ports, either in the United States or Canada. On the other hand, the harbor revenue at Montreal, in 1879, amounted to \$269,596, as was stated by one of the hon. members from Montreal, and the dues levied on imported and exported merchandize appear to have been 56 per cent. of that income. The effect is simply to add about \$180,000 to the cost of property carried to and from the Port of Montreal, which could have been saved in the ports of Boston, New York, Philadelphia and Baltimore. I find that the charges on ordinary goods shipped to and from Montreal ranges from 30 cents to 50 cents per ton. Here is a statement showing the effect of wharfage charges on vessels at the several Atlantic ports. Taking for example a vessel of 1,500 tons, the ordinary charge for wharfage, per day, will be in Boston \$7.50, New York \$10.50, Philadelphia \$4, Baltimore \$2, Montreal \$11.25; that is to say, the charges at Montreal are half as much more than at Boston, nearly three times as much as Philadelphia, and something more than at New

York. The pilotage maintains something like the same proportion. The pilotage of a vessel of 600 tons, drawing 18 feet of water, to and from Boston, amounts to \$117.90; New York, \$172.80; Philadelphia, \$162; Montreal, \$193.50. The rates of freight at these different ports are, of course, governed by competition, and it is well known that within a period of twenty years the rates at all these ports have fallen until the ocean freight is about one-half, and as regards inland freight I find from a tabular statement that from 1861 to 1880 the freight, taking as a basis a bushel of wheat or corn from Chicago to those ports, has fallen from 27 cents to 11½ cents, that being the lowest point reached, the average rate last year being 13 cents to American ports. Fortunately for the traffic, by our route the inland rates have fallen so that the average rates of freight from the West to Montreal are something under those rates, otherwise it would be simply impossible that carrying by this route could continue. But there is another fact of still greater importance, and that is the position with respect to canal charges. When I first had something to do with this trade, twenty years ago, the toll on a bushel of wheat through the Erie Canal was 6½ cents; to-day that has been reduced to one cent. And that is not alone the measure of the value that the city of New York and the State of New York, and all the United States together attach to this traffic, because it is well known there is a recommendation before the Legislature of New York at this moment, to make traffic through these canals absolutely free, and that proposal has been endorsed by the Board of Trade of the city of New York. The tolls on our canals—I do not complain of them, because I believe they are very little more than are necessary to maintain the working of the canals, to the extent they are beyond that I think they might be reduced—have not practically been changed for twenty years. Under these circumstances, it is rather a marvel that we have any trade at all by the St. Lawrence route. We are assisted, of course, by this fact of the cheaper inland navigation by this route. We have been assisted very much during the last two or three years by the great increase of the cattle export trade in which we have some advantages over the United States. I find that the shipments of cattle in the Port of Montreal have grown until last season they reached the value of nearly \$2,000,000. During the early period of the growth of our steam marine, the one line that existed at that time was assisted by a subsidy for carrying the mails. That assistance still holds, but the traffic apart from that has been sufficient for the establishment of two or three other lines, and the trade is still increasing, and, I hope, will continue to increase. I think we owe something to the tenacity of private enterprise, and I think I might say further, we owe a little to Canadian patriotism, because I believe there are people in this country who carry out the homely principle of the Hebrew matron, who dwelt with her family "among her own people." I believe there are people in this country who prefer to develop their own route, to exercise their industry and enterprise at home, and who are not carried away by the flash and the glitter of free trade and cosmopolitanism. I need not refer further to the figures in connection with the burdens upon this trade. The expenditure upon the deepening of Lake St. Peter up to this moment is, in round numbers, about \$1,500,000. The channel is made to a depth of 24 feet, which admits a class of vessels of a size which has been found so far to be profitable in the Atlantic trade. If this were the only burden upon vessels coming to the Port of Montreal it would be a small matter, but it does not touch the Port of Montreal at all. It is really a question that concerns the Dominion of Canada, just as much as every mile of our canal navigation. The expenditure upon the harbor of Montreal has been, apart from this, about

\$1,800,000, and that harbor requires about as much more money to be expended upon it. On account of these burdens imposed upon its trade it becomes difficult for the Harbor Commissioners of Montreal to go on and expend any more money. I would call the attention of the House to the fact that while this is a resolution to assist the Harbor Commissioners of Montreal, it is a resolution to assist them in improving the navigation of the River St. Lawrence, not to improve the harbor of Montreal, a thing that is not at all asked for. We have been told in the newspapers that the harbor of Glasgow has been made from the mouth of the Clyde in order to make a great port at that city. When we consider that the city of Glasgow is only twelve miles from the mouth of that river, the parallel scarcely holds, and there is really nothing in it upon which a comparison can be made. The same thing applies to any port or river that exists in Great Britain. The fact is, there is no parallel we know of to this work in the St. Lawrence, and no other parallel upon which it could be maintained that Montreal should pay for deepening the channel of Lake St. Peter for a distance of forty miles. I have drawn attention to this fact because I think the Minister of Finance is amenable to reason. I will not say the Harbor Commissioners of Montreal, acting in this instance in the interest of the Dominion of Canada, have asked him for bread and that he offers them a stone. I believe he offers them a crust, and it is only a crust. Now, we have undertaken some great expenditures in this country in order to put ourselves in a position to be our own carriers for all times. I think that is a matter of great importance to us, one that will give us great importance if we maintain it. We have undertaken lately to spend \$25,000,000, beside some land, of which we do not compute the value just now, to build the Pacific Railway. It was an act of faith. I do not ask any member of this House to withdraw the confidence with which they voted that money. We have expended about \$46,000,000, on the Intercolonial Railway, and I think we certainly have a brace of elephants on our hands in those two railways. We have been munching away at a camel as we went along for some years past until we have spent about \$31,000,000 in the improvement of our canal system, and we have something to show for it. We have a well-established trade now by the route of the St. Lawrence. Having liberally put our hand to this work and having expended a large amount of money, I really think my hon. friend might consider and get himself well up to the mark, and not allow himself to be checked by this small gnat of \$1,500,000, to keep a trade we have actually got and which our American neighbors are trying to take away from us. I find in this memorandum, passed by a resolution of the Board of Trade of New York, that a fear is expressed that the competition of the Welland Canal and the Canadian route may take away a portion of their western trade. We are now, I believe, carrying about one-seventh of the grain exported from the city of Chicago by the Canadian route; but we are not carrying it by favor of the Americans, but because our merchants have gone there and bought it, and if there is anything beyond that, it is the stuff that has been bought by British merchants and their agents in Chicago, and sent over this route. What our friends on the other side are afraid of is, that we shall keep this small portion of the trade, and they are proposing to reduce the last vestige of charge on their canals, for fear that we may take away more of their trade. I ask the hon. Minister of Finance to reconsider this resolution, and see whether he cannot get up his courage to undertake this \$1,500,000, in order that we may maintain something that by our own energy and enterprise we have actually got, and that is in some danger of being taken away from us by the greater power and resources of the Americans. If the hon. Minister could see his way to do that it would leave the Harbor Commissioners of Montreal free to prosecute the improve-

Mr. McLennan.

ments that are necessary in order to make the harbor of Montreal complete, and to afford facilities for that trade which they fully expect will grow in the future, I have no more to say except to thank the House, and to express my confidence that the men of Ontario, who have so large a stake in this trade, will agree with me that this is a national question.

House resolved itself into Committee on the resolution.

(In the Committee.)

Sir RICHARD J. CARTWRIGHT. Has any sinking fund been created?

Sir LEONARD TILLEY. No.

Resolution reported, read the first time and the second time, and concurred in.

Sir LEONARD TILLEY introduced a Bill founded on the resolution.

Bill read the first time.

#### NATURALIZATION OF ALIENS.

Bill (No. 87) respecting Naturalization of Aliens (from the Senate)—(Mr. Langevin)—was again considered in Committee.

Bill reported, read the third time, and passed.

#### INSPECTION OF STEAMBOATS.

Mr. POPE (Queen's) moved the second reading of Bill (No. 84) to amend the Acts relating to the Inspection of Steamboats.

Mr. McCALLUM. I trust the Government will not insist on going on with this Bill, introduced at this late stage of the Session, when steamboat owners have not had sufficient notice of it to enable them to show to the Government what effect it will have on their property. The Steamboat Inspection Act has had one or two amendments already, and several Orders in Council have been passed bearing on it. I hope the hon. Minister will let the matter rest as it stands, as no accidents have taken place under the law, and next Session a Committee or Commission could be appointed to draw up a new Act altogether. On the 28th March last, an Order in Council was passed, which changed the whole law, and the people knew nothing about the change, although Parliament was in session at the time. This Order in Council provided that all small pipes that are screwed into the boiler shall have a flange attached to them. For thirty years nothing of this kind was insisted on, and no accident, except in one case, when the fireman was scalded through carelessness in screwing in the pipe. I do not like this country to be governed by Orders in Council. This one was passed without the steamboat owners knowing anything about it, and the result was that when their steamboats were inspected they had to stop working two or three days, in order to get this flange or run their boats, as was done in many instances, without having them inspected. The object of steamboat inspection is to protect life, yet there is a certain class that does not come under the law—what are called steam yachts. The reason given is that they are not used for hire, but in many instances they carry a large number of people. Were those lives to be exposed to danger because they did not pay fare? Those yachts were not required to have a qualified engineer to run them, while a small tug with only three men on board, each of whom knows how to run an engine, must bear the expense of an inspection. There is now \$28,000 to the credit of this fund. Are yachts to be excepted because their owners are rich? Under the law, a second-class engineer can take

charge of a boat of 150 tons measurement; this grade of certificate qualifies them to do it. Under the old law they measured vessels in order that the tonnage should contribute towards paying a proportion of the expense. A man who was qualified to take charge of a boat of 150 tons, under the old law, may not be qualified when she is measured under this system. This is not the thing to be permitted in the interest of this country. Steamboat owners have not had time enough to consider this Bill. I would ask the hon. Minister of Marine to let this Bill stand over until next year when, if I have a seat in the House, in so far as I can, I will assist him to perfect it, in a way to make it satisfactory to the people, by giving protection to life as far as possible and keeping our steamers safer, that we may not lose as many as at present.

Mr. GAULT. I hope this Bill will be allowed to stand over until next Session. I believe there is no necessity for it at present. It would give a great deal of trouble to steamboat owners, without much good result. A company that supplied additional boats, to give increased accommodation to passengers, would suffer seriously from such a Bill.

Mr. COCKBURN (Muskoka). I endorse the views expressed by the hon. member for Monck (Mr. McCallum), because I have no doubt that this Bill is second only in importance to the General Railway Act, and that the time has long since arrived when the various Acts should be consolidated. A very unsatisfactory part of this law consists in leaving so much to be done by Orders in Council. Resolutions of certain inspectors or other parties are sent to the Governor in Council; he initials them and they become law; and steamboat owners may be running their vessels in violation of those Orders, because not known. Many portions of the law are a dead letter. Therefore, I think it is too late in the Session for legislation of this sort. I think it is the duty of the hon. the Minister of Marine to prepare a Bill embracing a complete system of inspection laws between this and next Session, and introduce it early enough next Session to have it fairly considered. There are at present charges of favoritism made against inspectors under the present system. The Act requires to be consolidated, with a different system of examining engineers established. There might profitably be examinations on the system of the Provincial Education Departments. There are six different grades of engineers, first, second and third, with assistants for each. I think there are many anomalies in the present system, and that the Orders in Council system should be abolished. We should have a full and comprehensive measure, and every case provided for by statutory enactment. Examination papers, with written questions, should be prepared for candidates for promotion, or for license, to answer. The questions should be intelligent, practical questions for engineers or assistant engineers, and the results should be governed entirely by marks of merit. I can assure the hon. Minister that steamboat proprietors do not desire to make steamers less safe, but do desire a system intelligible and reasonable, with present anomalies and inconsistencies removed, which cannot well be done by this Bill during the present Session.

Mr. KIRKPATRICK. I differ from hon. gentlemen who have just spoken, as I think that this Bill, or some of its provisions, ought to be passed this Session. From the present defects and anomalies of the law, great hardships may befall steamboat owners if this Bill be not passed. Whatever irregularities existed in past years were found out. Some officers of the Customs, at all events, took steps last summer, to prevent steamboats running because they had not those certificates, and succeeded. I know some steamers were stopped running for ten days till permission was obtained from the department, which was given, though there was no authority for it. That permission was given in direct violation of the law, till

some means could be obtained of complying with those onerous hard regulations. In 1878, when the Steamboat Inspection Act was passed, we had a system of measurement of vessels in the inland waters. It was provided that boats of fifty tons, and under, should carry one life-boat; and boats of 100 tons, and under, two, and so on, up to 200 or 300 tons; but in 1879 a new Act was passed, introducing a new system of measurement; all the upper decks are measured and all the space above the tonnage deck is included, thus increasing the registered tonnage of those vessels to three, four or eight times the previous amount.

In answer to Mr. McCALLUM,

Mr. KIRKPATRICK. I am speaking of steamers that ply on the St. Lawrence and Bay of Quinté, and boats that are not capable from their dimensions of carrying the requisite yawl boats prescribed by this Act. Take some of the ferry steamboats that ply across the St. Lawrence at Brockville, or between Kingston and Gananoque, and which are unable to carry yawl boats, seventeen feet long, the same as are carried by the mail steamers, the provision is unreasonable, and ought to be required. And yet there is no section in the Act which gives a discretionary power to any officer of the Marine and Fisheries Department, or any steamboat inspector, to say, a boat of smaller dimensions, that may be handled easily, and carried on the deck of one of those small steamers, will suffice. That is a provision that should be changed, in order to give power to the inspector, or Minister of Marine in the report of the inspector, to authorize the carrying of boats of different dimensions where a proper case is made out. I have already laid certain communications before the hon. Minister, and I have now in my hand a letter from Mr. Gildersleeve, urging, strongly, that some discretionary power should be given to meet extreme cases. He has a small boat in Montreal, which under the Act in force in 1868 would require to carry only one boat, while by the present law she will have to carry three or four, and a metallic lifeboat in addition—a number altogether out of proportion to the size of the boat. The remainder of the Bill does not, so far as I can see, vary one iota from the present law, except that it applies the Act to steel-plated boilers as well as to iron boilers. It leaves yachts out of the provisions of the law, because as these are personal property, and as men may go into them or not, just as they please, there is more necessity for inspecting a man's carriage or sleigh which travels the street. There is another provision of the law to which attention has been directed in the letters I have received. It provides that every steamship plying on inland waters shall carry not only a steam whistle which may be used in time of fogs, but a fog-horn driven by some mechanical contrivance. This provision is intended for vessels at sea, which have only steam as their motive power, so that while under sail and not under steam, the fog-horns may be used. This clause of the Act should be altered, otherwise the inspector cannot give certificates to these boats, and they will be precluded from running all summer, because the Customs officers cannot give them clearances without the certificate, and a great deal of hardship would be worked. I hope the Bill will receive its second reading, and that it will go to Committee where, if necessary, amendments may be made.

Mr. COCKBURN. I agree that legislation is required, but I object to the Bill being introduced so late in the Session.

Mr. SNOWBALL. This is a matter which requires more attention than we can possibly give it at so late a period of the Session. There is one point to which I desire specially to direct the attention of the hon. Minister of Marine, and that is, the provision requires engineers to undergo so many years' experience on the water before they can receive a certificate. Engineers on land are not required to undergo such

an inspection or to have had so many years experience, although they have a great many more lives in their charge. Most of our best engineers pass their apprenticeship in machine shops, factories, etc., on the land; and as our boats run so short a season, it is difficult to qualify our engineers in that way, and the result is that a great many of our engineers are little better than firemen, who have been used to shovelling coal and so on. They manage to undergo examination, answer a few questions, and receive a certificate. Many of them are utterly useless when a boat is at sea or at all in danger, and we have frequently to take a practical engineer from land, keep him on deck so as to be ready to act in an emergency. I think some change should be made in the Act in this respect, for although it is intended for the protection of life, in its practical operation, it very often works the other way. Attention has been directed on the opposite side of the House to another matter of importance. Small steamers are required to carry boats, when it is almost an impossibility that they can do so. For example, I have a steamer, one and one-half tons burthen, and yet she is required to carry a boat altogether disproportionate to her size, and I have either to decline making the required declaration or allow the boat to be carried contrary to my judgment. I cannot see why a yacht carrying a pleasure party should be exempt from the operation of this Act just because it is private property, for the lives of those on board are just as valuable as those on any other vessel. The absurdity of the law may be judged by the fact, that if such a boat with two men aboard, tows a canal vessel, she is liable to the operation of the Act, which, if she carries a pleasure party of many times that number, she is not within the Act.

Mr. JONES. The subject before the House appears to be one of considerable importance, judging by the different opinions which have been expressed on both sides of the House. I hope the matter will not be pressed this Session, and that during recess the subject may receive full discussion. I think the public will agree that inspectors should be allowed some discretion in the matter; for instance, with regard to fines, which are now \$400. In another year the country will be prepared for another Act.

Mr. POPE (Queen's). There is no desire on the part of the Government to press this Bill, or to impose any further unnecessary restrictions on steamboat owners. There is but little difference between this Bill and the present Act. It is little more than a re-enactment of the Bill now in force. There are no restrictions imposed by this Act which are not imposed by the old Act. The Government propose this Bill because it is reported by the inspectors that steel plates are in use in the United States for boilers, and, as they have been introduced into this country, it is necessary there should be some additional test. If boat owners go the additional cost of getting steel plates they should be allowed some additional favor in the minimum test of their boilers. This measure has been recommended by the Government inspectors of boats who can have no interest in this matter, and as they are skilled in the business their opinions are entitled to consideration. An accident occurred in Montreal through a tap being blown out of the boiler, resulting in the death of one man, and the Grand Jury censured the Government Steamboat Inspector for allowing taps to be used in this way. This was represented to the Government, and an Order in Council was passed, and I think it is the duty of the Government, wherever they have power, to pass Orders in Council necessary for the safety of life and property. I will point out the difference between this Bill and the existing Act. The Bill says: "the limits of such pressure shall not exceed 150 pounds to the square inch in the case of a boiler made of iron plate, or 190 pounds to the square inch in the case of a boiler made of steel plate." Heretofore the highest pressure

Mr. SNOWBALL,

allowed was 150 pounds, but now a greater pressure is to be allowed on steel boilers than on iron boilers. Again, as the law now stands, it is necessary that there shall be an examination at least every year, and when certificates are now given they hold good for the season during which boats are running. The Bill gives power to the inspector to fix the time for a less period than a year during which the inspection shall hold good, and in the case of an old boat or a weak one, the Government inspector has power to shorten the time during which the inspection holds good. Many complaints have been made to the department during the last year or two against the present regulation for the carrying of boats. Small steamers running on rivers are obliged to carry a boat seventeen feet long; in some cases the boat is nearly as large as the steamer. This provision will be modified so as to give discretionary power to the hon. Minister, on the recommendation of the Government inspector, to allow steamers to carry smaller boats than at present are required by law. It is considered inconsistent and unnecessary, and does not add to safety. My hon. friend from Leeds (Mr. Jones) has asked that this Bill should remain over till the next Session. I introduced it last Session in obedience to a general expression of opinion of members on both sides of the House that it was necessary. However, if there is now a feeling in the House that it had better go over for another year, the Government do not desire to press it.

Sir JOHN A. MACDONALD. After the expression of opinion we have heard on this Bill I move the adjournment of the debate.

Motion agreed to.

#### CONSOLIDATED INSURANCE ACT, 1877.

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

Bill (No. 102) to amend the Consolidated Insurance Act, 1877 (from the Senate).—(Mr. Ouimet.)

Mr. OUIMET. I desire to call the attention of the Government to this Bill. It appears that insurance companies may withdraw from doing business in this country, and when they do their assets are disposed of in the manner provided by sections 17 and 18. It is provided also by section 13 that all these insurance companies, when they take out a permit, must give a power of attorney to one person in Canada; but there is no provision for any power of attorney being given when these companies withdraw from Canada, and not having any agent to represent them here, they cannot be prosecuted or sued by persons holding their policies. This Bill heretofore proposes to amend section 13 of the Act, and to provide that foreign companies, even after their withdrawal, shall give powers of attorney and that writs or protests may be served on them by mail, in an envelope, duly registered and stamped. I think this is very important, as cases of great hardships have arisen in Montreal in connection with persons holding policies of foreign companies.

Mr. GAULT. I think people who insure in foreign companies ought to understand that they can only make their claim at the head offices of those companies. The Government ought to bring in a Bill to protect the policy holders, as there is nothing to prevent these companies coming here and taking the money of our people, without giving adequate protection to policy holders.

Mr. DOMVILLE. I would also call attention to the fact that there was a deposit of \$100,000 in the hands of the Government, on account of the Globe Mutual Insurance Company of New York. That was paid over by the Government to some persons for distribution among the insurers, after the company had gone into litigation, yet the insurers

find themselves involved in litigation in the United States in order to get their money. This litigation, I am told, is absorbing a large amount of money in costs and other ways, and the result will be that the Canadian policy holders will get nothing. I think that some restrictions should be placed on these companies, so that when money is deposited with the Government it may be available for those for whom it is intended.

Mr. ROSS (Middlesex.) I may add to the instances already given of grievances in connection with American insurance companies, one relating, I think, to the Atlantic Mutual, which took a number of risks in Canada, which is now insolvent, its affairs being in litigation, and whose policy holders are receiving nothing. Its affairs have been in a mixed state for almost two years, and I think, the Minister of Justice would confer a great boon upon Canadian policy holders in such companies, if he devised some short process of winding up such companies, and protecting the policy holders forthwith.

Sir LEONARD TILLEY. In answer to a question put to me about a fortnight since, I stated that the Government were giving this matter consideration. I may say that a draft Bill was prepared, but I fear that at this period of the Session, it will not be possible to have it passed. At any rate, any Bill we might pass would not affect the cases referred to; it could not be retroactive, but affect only cases which might arise in the future. If my memory serves me, the parties in the litigation referred to claim that as the companies are conducted on the mutual principal, parties insuring in Canada can only participate in the distribution of assets, in the same manner and to the same extent as those insuring in the United States or elsewhere.

Mr. OUMET. The object of this Bill is to force companies to appoint attorneys or agents here, so as to allow the service of legal proceedings or those companies in a certain way. To day we have no recourse at all against these companies in Lower Canada except by calling them by advertisements in the papers—we cannot have them served in the United States. The object of this Bill is to force them, if they receive premiums, to name an agent in Lower Canada.

Mr. DOMVILLE. The Act need not be made retroactive, but if it explains that the intention of exempting mutual companies referred only to those that are purely mutual, it would meet the case.

Bill read the first time.

#### CONSOLIDATED RAILWAY ACT.

Mr. McDONALD (Pictou) moved the second reading of Bill (No. 84) to amend the Consolidated Railway Act (from the Senate). He said: The principal feature of the Bill is the definition of the word "capital." In the debates on the Canadian Pacific Railway contract, there was some difference of opinion on the part of hon. gentlemen opposite as to the meaning of the word and the extent it would cover. This Bill defined the meaning in the sense understood by hon. gentlemen on this side. It is defined as follows:—

"1. The said word 'capital' as used in the said sub-section meant and means the paid up stock and share capital of the Company with interest added for periods during which no dividend is paid, to the exclusion of all subsidies and bonuses and of the debt of the Company: And this interpretation of the said word shall apply to all railway companies affected by the said sub-section or by any amendment of the said sub-section in which the said word is used, which is or shall be incorporated with the special act or charter of any railway company."

Mr. COLBY. Very recently a considerable number of charters have been granted in which "running powers" have been granted in favor of one or several corporations over the lines of other railway corporations. In no instance is the meaning of the word defined. This would be the proper place in which to give the term its precise meaning.

Mr. BLAKE. I do not think it would be prudent to do so now. It would be better to wait until the Government has leisure to make a proper definition, in which "running powers" may vary a good deal according to circumstances. When given over a long stretch of railway, certain additional privileges such as means of obtaining supply of fuel and water should be allowed that would not be required when given over a small stretch. I believe there has been no definition of running powers in any English Act as yet. The subject is very important, and one which will have to be considered in another aspect to which my hon. friend has alluded. But it has been supposed that because we have been giving running powers in particular cases, of railways desirous of using every eligible strip of territory important as links of communication, east and west—it must not be supposed it would be a necessary and prudent thing to apply compulsory running powers to all railway charters to be granted. I am in favor of applying compulsory running powers, provisionally, to all cases in which it is reasonable they should be applied. But I do not believe it can be affirmed that, as a general rule, it is reasonable.

Mr. COLBY. That is not my statement.

Mr. BLAKE. My hon. friend rather implied that, because he said we have been inserting that lately in general Bills. However, I think it would be unfortunate to attempt to legislate on the subject. The hon. gentleman whom I asked to explain the clause dealing with this subject contented himself with simply reading it again. I could have read it for myself, and did so. I think the hon. gentleman might have pointed out what the operation of the clause would be with regard to the Canadian Pacific Railway. According to my own understanding of the powers given to the Canadian Pacific Railway, it seems to me this clause would not operate satisfactorily, or accomplish what was suggested during the debate on this subject, about really to be accomplished. It will be remembered it was generally avowed that the resources which the Company was about to obtain from the public, including its borrowing powers upon the lands, would be adequate—its borrowing powers and cash subsidies which, by a slight actual payment on the capital stock and work, were estimated at a certain value. It will be remembered that calculations were gone into, indeed not disputed by the other side, seriously, which indicated that somewhere about \$5,000,000 was, perhaps, the outside of the actual cash in the way of share capital which would be acquired by this railway company. The statement made from the Ministerial benches was that this power to levy tolls or rates, or rather the limitation of this power of the Governor in Council and Parliament to reduce the tolls, in the case in which those tolls should be exceeding ten per cent. of the capital, was to apply to the actual paid up capital of the Company. Nothing was said at that time of the interest for the period during which dividends should not be paid. Not a word was said to Parliament of that important addition to the mass on which interest profits are to be paid at the rate of ten per cent. It is a new introduction altogether. But more than that, the discussion being based upon the view that but a small amount of share capital would be really required, we are now face to face with a plain scheme which makes it the direct interest of the Canadian Pacific Railway to adopt those modes of action which it was suggested during the course of the debate might be adopted in order to render nugatory any restrictions as to its profits based upon the amount of its capital account. We all know that the greater part of the interest rate of railways in the United States, of the capital account, is very much larger than the real, genuine expenditure upon those railways represents, that the capital account has been swollen by stocks issued, not at par, but by bonds sold at great discounts in many instances, by watered stocks and fraudulent

bond issues. We all know that the capital account, as it stands, is something wholly different from what the real cost of the railway was. Take the statements which are made by hon. gentlemen here and in England, very much to the detriment of railway enterprise in Canada, with reference to the capital account of our great railway—to the several construction accounts—to the subsequent swelling of the capital account, or to all those things which indicate an original swelling of the capital account to a point far beyond the genuine cost of the work—take off this fund created not many years ago, when there was an issue of ordinary stock to something like £10,000,000 sterling, at 20 per cent., on which but £2,000,000 was realized by the company; and, for this, the £10,000,000 sterling emitted, besides, has been added to the capital stock of the Grand Trunk Railway. That debt was created—not for the purpose of renewing construction, but for steel-railing the road. But, at any rate, if that were to be added to the capital account, although the renewal of its rails ought to have been provided for out of ordinary revenue—the only thing properly, on the most liberal construction, that ought to have been added to the capital account was the difference between the cost of the steel and iron. But the whole £10,000,000 were added to that account for only £2,000,000 cash, which makes of the clause a totally illusory showing as to what the real capital account of the Grand Trunk Railway is; and the same results to a very notable extent have been seen with reference to some other railroads in the United States.

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

#### AFTER RECESS.

Mr. BLAKE. When the House rose I was endeavoring to show, from the circumstances under which the Grand Trunk Railway capital account had been increased, that the capital stock of a railway company formed an entirely delusive indication of the cost of the railway. Another important illustration in the same sense is given us in the capital account of the Central and Union Pacific Railways; for a recent report of the authorities of the United States indicates that while the apparent cost of those roads was something over \$300,000,000, the actual cost at present prices would be about \$75,000,000. The practical result of all this is, that it is easy to swell the capital account; and when you reflect that in the case of the Canadian Pacific Railway the provisions are such that there is no security for the capital stock representing money actually paid to the apparent value of that stock, it will be observed that every facility is afforded for the undue increase of the capital account. In virtue of the provisions of the charter it is competent for the Company to dispose of the capital stock at such prices as the directors may choose to affix to it, and for a consideration such as they may choose to take for it. It is therefore competent to them, for example, to arrange a construction company which may be paid partly in securities of the railway company, partly in cash, and partly in its capital stock—this construction company being composed practically of the corporators of the Company. That is what took place, as we know, with regard to the Union Pacific when the *Crédit mobilier* was established, and large blocks of the stock of the Union Pacific were handed over to those contractors—who were really the Company itself—at nominal rates. Well, you give an inducement to the railway company to enter upon this plan, while under other circumstances there would have been no inducement to the swelling of the capital stock beyond reasonable limits. Your present proposal is a direct inducement to them to enter into these courses, because you tell them that they may make returns free from the power of the Government, and they will offer rates up to ten per cent. on the capital stock and the

Mr. BLAKE.

interest thereon, and therefore you tell them that the larger they swell the capital stock so much the greater will be their power to obtain dividends on the enterprise uncontrolled by the Government. The natural result will be that they will make such financial arrangements in such a way as will give them that freedom, such as shall insure the emission—I do not say for money, but for a small consideration—to themselves probably of the whole block of this capital stock. And we do not provide that, unless for the years in which they receive a dividend upon it, interest shall be added to the amount so created for ten years during the construction, and on this aggregate they may have ten per cent profit uncontrolled. Of course, it is easily managed. It may be said they will not abstain from dividing profits in order to secure this result; but during these ten years there will be a very easy application of all the profits they will make from the running of the completed portions of the road. They will be engaged in construction during the whole of that time, and instead of dividing the profits, they may use the profits on the completed portions in their hands, and facilitate the work of construction of the remainder. Again, they may make a division as soon as they acquire, from time to time, large portions of the lands, and that would not be a dividend on capital stock. On the whole, it is tolerably clear that they may, without any practical inconvenience, make arrangements by which, without their being really represented by money, or at all events money to the extent of more than four or five millions, the whole shares of the \$25,000,000 capital stock may be omitted, and a charge made of the interest of the capital stock so omitted, amounting altogether to about \$40,000,000, on which they might obtain dividends, uncontrolled by the Government, up to the extent of 10 per cent. That is practically the result which may be achieved under this clause. I quite agree that that is a better result than what was to be looked for under the Bill lately before Parliament. But it is not the result which we were told would be secured. I believe, if the expectations of the Syndicate are largely carried out; if the calculations of the Government are largely verified, it would be unnecessary to expend more than \$5,000,000 of money in the shape of capital stock, and they will have a nominal capital by the time the road is completed of \$25,000,000, with \$15,000,000 interest, or in all \$40,000,000, bearing dividends within the meaning of this clause, and there will be no efficient control over the rates in future.

Sir JOHN A. MACDONALD. We have been treated by the hon. gentleman to a very elaborate argument upon what appears to be really a small matter. The definition of the word capital in the first section of the Bill is not the general interpretation of the word capital in Acts of Parliament generally, but is simply the meaning of the word capital in the Railway Act of 1879, so far as regards the collection of the tolls. It may be remembered that when we were discussing the Canadian Pacific Railway, the argument was used that they might raise large sums of money on the lands they were to receive, they might steal that money, issue bonds to any extent, throw the road on the public or on the bond-holders, and that the 15 per cent was too large and they would have a monopoly of rates. There was no use arguing that the Government had a check, because no tolls or rates could be imposed except under approval of an Order in Council. There was no confidence in the Syndicate, because it was a monopoly, and no confidence in the Government because it was the Government. The Act of 1879, to which this clause relates, provides that the Parliament of Canada may from time to time reduce the tolls on railways, but not without the consent of the Company unless their profits were over 15 per cent on the capital actually expended. No matter how the road had been built, whether by bonds or paid up shares, 15 per cent must be the profits on the capital expended before the

tolls could be reduced. That rate was now diminished to 10 per cent., and it was proposed that subsidies should not be counted. It seems to me that the Canadian Pacific Railway Company have gone up a great deal more that was ever asked or expected from any other railway company; yet hon. gentleman opposite were not satisfied. If it is watered or bogus stock, it is not capital expended on the road. There is nothing in the objection taken by the hon. member for West Durham (Mr. Blake), and the hon. gentleman appears to have raised it just for the purpose of making it.

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

#### MARINE TELEGRAPH LINES.

Bill (No. 97) to establish a Marine Telegraph between the Pacific coast of Canada and Asia—(Mr. Langevin).—read the second time, considered in Committee and reported.

#### SUPPLY.

House again resolved itself into Committee of Supply.

226. Ottawa drill shed, amount required.....\$ 550 00

Mr. MACKENZIE. Will the hon. gentleman state, with regard to this item of \$550 for the Ottawa drill shed, what has been the contribution of the Government to this building, and what that of the municipality.

Mr. LANGEVIN. The total amount expended was \$27,555. I cannot say whether this was all Government money or not.

227. Ottawa Geological Museum ..... \$9,250 00

Sir RICHARD J. CARTWRIGHT. What has been the total cost, up to date, of the purchase and fitting up of this Museum?

Mr. LANGEVIN. \$29,938 up to 30th December last. The \$9,250 are for a number of changes and improvements in the building required by the Chief of the Geological Staff. The cost of the building was \$20,000.

Sir RICHARD J. CARTWRIGHT. And we are spending about \$20,000 more on it.

Mr. LANGEVIN. There was a contract for the building amounting to \$10,000, and additions called for \$3,500 or \$4,000 more. The floors near the front of the building were found to be not on the same level as those in the portion of the building on George Street. We had to put on a new roof and took that opportunity to place the floors on the proper level. The repairs make it a very good building, which will meet all the requirements of the Geological Museum.

Sir RICHARD J. CARTWRIGHT. From whom was the property purchased?

Sir JOHN. A. MACDONALD. It belonged to Mr. Skcad once; but he had mortgaged it to a loan company.

Mr. MILLS. I do not think this building is suitable for the purpose of a Geological Museum, as it will be insufficiently lighted, and because, by its contiguity to carriage ways, it will be open to the admission of dust.

Mr. LANGEVIN. On the contrary, the building is well lighted, and as to the dust, unless we had a building out on the Common, we could scarcely effect any improvement in that respect. I do not think a building more suitable could be obtained in any of our large cities.

Mr. GAULT. I think it is a pity the Museum was removed from Montreal, as that was the most suitable place for it.

237. To pay Wm. Kingsford, Esq., Civil Engineer, as compensation for lost of employment as Engineer in charge of Harbor and River Works, Ontario and Quebec, &c., at the rate of \$3,300 per annum..... \$1,650 00

Sir RICHARD J. CARTWRIGHT. Is this gentleman now employed by the department?

Mr. LANGEVIN. No.

Sir RICHARD J. CARTWRIGHT. I forget the tenure of his office. He was for a very long time employed in the public service. Why was he dismissed?

Mr. LANGEVIN. Mr. Kingsford was employed for a long time in the department, but the special work for which he was employed was no long required under the new arrangement of the department. We, therefore, dispensed with his services, and the question of compensation came up. He claimed compensation on account of his having been discharged. The tenure of his office was not very clearly explained by papers in the department, and Mr. Kingsford produced a letter from the late head of the department to show that, though he was not a permanent officer, nevertheless the Government of the day had thought he should have some more firm position than an ordinary clerk or engineer, and, therefore, he was paid by the year. Mr. Kingsford having claimed a year's salary the matter was referred by us to the hon. Minister of Justice in order to know how far I could go in that direction. The hon. Minister of Justice reported that Mr. Kingsford had no legal claim; nevertheless, after considering the matter, I thought some compensation should be given, and I recommended accordingly that Mr. Kingsford should be paid six months salary.

Mr. MACKENZIE. Then no fault was found with him.

Mr. LANGEVIN. I made no complaint against Mr. Kingsford; he was discharged because of the changes in the department.

Mr. MACKENZIE. Is no one employed to do work at the harbors of Quebec and Ontario?

Mr. LANGEVIN. The Chief Engineer of the Department now does that work. We have not any special engineer to look after the engineers in Quebec and Ontario, in Mr. Kingsford was employed; now the Chief Engineer does it.

Mr. MACKENZIE. Who is the Chief Engineer.

Mr. LANGEVIN. Mr. Perley.

Mr. MACKENZIE. And who does the work that Mr. Perley formerly did in the Lower Provinces.

Mr. LANGEVIN. Mr. Boyd has been employed during the summer to superintend the works there, but after the season he returned to headquarters and assisted Mr. Perley in preparing plans.

Mr. MACKENZIE. Can the hon. gentleman give a statement of the expenditure on engineering surveys in Quebec and Ontario last year.

Mr. LANGEVIN. I have a comparative statement of the cost of those surveys in 1878, 1879 and 1880. In 1878, under the old régime, Mr. Kingsford being then employed, the staff numbered nine, number of surveys eleven, total expenditure \$14,715, cost of each survey \$1,337. In 1879, after the charge had taken place staff numbered twelve, surveys thirteen, total expenditure \$16,007, cost of each survey \$1,231. In 1880 the staff was increased to sixteen, engineers and assistants, surveys forty-four, amount expended \$19,794, cost of each survey \$449. Hon. gentlemen will see that, though the expenditure was larger, the number of surveys was also largely increased, while the average cost was reduced; and that was the object desired to be accomplished in making the change.

Mr. MACKENZIE. The hon. gentleman talks about the number of surveys, but it entirely depends on what the surveys were. There have been a large number of a very trifling character. The fact remains that the hon. gentleman dismissed an old and faithful servant and took on a new man.

Mr. LANGEVIN. The hon. gentleman should not say that, because it is not so. I have no doubt the hon. gentleman says that because he does not know better. Mr. Kingsford has not had any successor. The men employed were the ordinary surveyors or engineers that were employed in the time of the hon. gentleman. We did not employ a superintendent of those surveyors, as the hon. gentleman did when he placed Mr. Kingsford over them. That office is abolished, and these engineers were placed in charge of the Chief Engineer's Department.

Mr. MACKENZIE. Did the hon. gentleman employ other engineers who had not been employed before Mr. Kingsford's dismissal?

Mr. LANGEVIN. There may have been some; it is quite possible; but they were only employed for two or three months—perhaps four or five months—at \$4 a day and their travelling expenses, while Mr. Kingsford's salary was \$3,300.

Mr. MACKENZIE. Then the fact remains that the hon. gentleman could not find any employment for a man who, I am bound to say, deserved well of the department—a man who is a political opponent of mine, and therefore, I have nothing to say on that account. I have endeavored to treat all the engineers alike, no matter what their politics. Here is a gentleman dismissed who, confessedly, is an able engineer, dismissed unceremoniously, and for a reason that is not an honest reason. The hon. gentleman's reason is very like that for dismissing the inspectors of weights and measures. The law was changed so that the law would dismiss them. The hon. gentleman goes through the farce of changing the arrangements in his office, and so in his small way legislates Mr. Kingsford out of his position and employs other engineers after that, who have been employed to this day. This is the sort of usage that is meted out to men who have rendered good service to the country. I am surprised the hon. gentleman is not ashamed of the treatment he has meted out to that gentleman and to several others in the department.

Mr. LANGEVIN. The hon. gentleman may try to be as offensive as he pleases, but he will not compel me to be offensive to him. I shall not lose my temper, but I shall try to be civil, and I hope the hon. gentleman will do the same. Mr. Kingsford was discharged—I will not say dismissed, because I understand that in the English language the word *dismissed* means that a man is sent away for good cause, while the word *discharged* means that he was not required any longer, though he might be a very good man. Therefore, I say Mr. Kingsford was not dismissed but was discharged. I have always found him an able man. It was not I who put him into the department, but it was the hon. gentleman, and therefore I had no reason to find fault with Mr. Kingsford being in the department because I put him there. But his usefulness was gone, the office was no longer required and therefore it was abolished, and Mr. Kingsford left the service. Thinking that, under the circumstances, Mr. Kingsford should have an indemnity I have asked my colleagues to have this put in the Estimates. Mr. Kingsford could not be offered another position in my department because I have none to give him. The officers I require only serve for a few months at a time, and in that way I am able to curtail very considerably the expense, while they are only paid for the work they do.

Mr. MACKENZIE. I am not aware I said anything offensive such as the hon. gentleman complains of. I

Mr. LANGEVIN.

certainly had no intention to be offensive. I am not aware of anything I said which he could call offensive.

Mr. LANGEVIN. The hon. gentleman spoke of my small way of doing business.

Mr. MACKENZIE. The hon. gentleman is mistaken; I said he legislated Mr. Kingsford out in a small way, meaning the legislation of a department as compared with the legislation of Parliament. In the parallel case, I said the inspectors of weights and measures were legislated out of their positions, and the hon. gentleman legislated Mr. Kingsford out of his position in a small way, and if the hon. gentleman understood me to be offensive in that, he is entirely mistaken.

Mr. LANGEVIN. There is another thing. The hon. gentleman said the reason I was giving was not an honest reason. I do not think that is very complimentary to any member of Parliament. I never treated the hon. gentleman in that way.

Mr. MACKENZIE. I have no complaint to make of the hon. gentleman's statement, and I do not think he has much reason to complain of my treatment of him. The reason why I said it was not an honest reason, was that I believed that Mr. Kingsford was treated precisely as the inspectors were—that the arrangement was changed for the purpose of getting rid of him.

Mr. LANGEVIN. No.

Mr. MACKENZIE. I accept the hon. gentleman's statement of course.

Mr. LANGEVIN. Mr. Kingsford has not been replaced; if he had been, the hon. gentleman would be right in his assertion. I have saved his salary. I have saved a great deal in the other provinces also by getting rid of the staff that were there with those local engineers. I do not think the hon. gentleman knew that; I only knew it after I had been a certain time in the department. When I found that they had nothing to do and were a source of expense in many ways, I got rid of them all.

Mr. MACKENZIE. Where?

Mr. LANGEVIN. In New Brunswick, Nova Scotia and Ontario.

Mr. MACKENZIE. I was not aware of any Government engineers being in New Brunswick.

Mr. LANGEVIN. The hon. gentleman did not know it. I did not know it for several months, but as soon as I discovered it I dismissed them all.

Mr. MACKENZIE. I would like to know where they were.

Mr. LANGEVIN. In St. John and Halifax, the staff of Mr. Kingsford.

Mr. MACKENZIE. There were none in Halifax that I am aware of. We paid none in Halifax. I think there were two assistants to Mr. Perley in St. John, but I am not aware of any other engineers. I think the hon. gentleman is wrong.

Mr. LANGEVIN. If the hon. gentleman wishes I will give him a statement.

Mr. MACKENZIE. I hope the hon. gentleman will bring a statement. In the meantime we find his economy results in this way: In my last year this business costs \$14,000; in the next year, under the hon. gentleman it costs \$16,000—I give the round figures. In this last year it costs \$19,000. This is economy going backwards.

Mr. LANGEVIN. The hon. gentleman says that in his last year he expended \$14,000, and that in the next two years I expended \$16,000 and \$19,000. That is perfectly

correct, but the hon. gentleman should add that the number of surveys for his \$14,000 were eleven; for my \$16,000, thirteen; and now that the system has been perfected, for \$19,000, I had forty-four surveys. The surveys in the time of the hon. gentleman cost \$1,337 each, while they now cost \$449 each.

Mr. MACKENZIE. But one survey may be equal to a dozen, and no doubt in this case it is so.

Mr. KIRKPATRICK. I am glad to hear the hon. member for Lambton complain of the dismissal of public servants without just cause; but I do not think he has found an example in the case of Mr. Kingsford. The hon. Minister of Public Works has given a very satisfactory reason for the removal of that officer—an economic reason; he has shown that he has saved public money. But the hon. member for Lambton forgets that he himself dismissed a public servant for the simple reason that he would not support the hon. member for Centre Huron (Sir Richard Cartwright) on a certain occasion—I refer to the case of Dr. Strange—and re-appointed an officer to replace him without any trial or enquiry. He dismissed him in a manner most obnoxious to a volunteer officer—by stating that Her Majesty had no longer need for his services. I think it does not lie in the mouth of the hon. member for Lambton to make this complaint against the hon. Minister of Public Works.

Sir RICHARD J. CARTWRIGHT. I doubt whether any particular service will be done in the passage of the Estimates by bringing up a transaction five years old. But I take occasion to say that Dr. Strange was dismissed for the grossest possible violation of his duty, he being a public officer in the pay of the Government and deliberately electioneering in Kingston.

Mr. KIRKPATRICK. No.

Sir RICHARD J. CARTWRIGHT. Yes; in favor of the present Premier and against the other candidate, and he was warned repeatedly that if he, as a Government officer, so interfered in elections, he would be dismissed. He was most righteously dismissed.

Mr. MILLS. The hon. Minister of Public Works says he was not at all influenced in his conduct towards Mr. Kingsford by any political considerations. I think Mr. Kingsford is under the impression that the hon. gentleman was influenced by certain charges made against Mr. Kingsford in connection with some things that happened at Rimouski. I may say also that the person who opposed me at the last election accused Mr. Kingsford of interfering in the political contest in Bothwell. For that accusation there was not the shadow of foundation. I never discussed politics with Mr. Kingsford for ten minutes in my life, and only then to learn that his sympathies were not with us, but with hon. gentlemen opposite. But I never supposed for a moment, that Mr. Kingsford was in the smallest degree influenced politically in the discharge of his duties as an engineer. The whole accusation made against him in my constituency was that, not long before the election, he was passing through Morrisburgh, and telegraphed to the Custom house officer, who is himself not a politician, asking him to see him while the train was passing. I do not think he was off the train for five minutes, and I do not think any person saw him but Mr. Duff, the Custom house officer.

Mr. LANGEVIN. Any accusation which may have been made against Mr. Kingsford for anything he may have said or done previous to our coming into office was not noticed by me. We never reproached him or any other officer for taking part in any election before we came into office; but if these officers while we are in office, should go and canvass against the Government, that would be taken notice of.

Mr. MILLS. Or for them.

Mr. LANGEVIN. I have no doubt that would be a much more menial offence, but one unlikely to occur.

238. To reimburse Mr. G. A. Brown the amount contained in a bag of silver, stolen from a valise during his journey from St. John, N. B., to Cape Breton, for the purpose of making payments in connection with Cow Bay Breakwater and Gabarus Harbor..... \$150 00

Mr. LANGEVIN. This officer, I am informed by the head officers of my department—I do not know him at all—has always been a most deserving man. He has frequently, as paymaster, had large sums of money entrusted to him. On this occasion he was robbed of his bag containing \$150, and in order that there might be no delay in paying the men, he replaced it from his own personal funds. In a letter addressed to the department, he asks, on account of the precautions he has always taken, not to be held responsible for the loss.

245. Additional amount required for laying of cable on New Sub-marine Cable Route between Vancouver Island and mainland via Nana-imo and Point Grey.....\$1,500 00

Mr. MACKENZIE. I do not object to the item, but I understood last Session the Government would not send Mr. Gisborne home to buy the cable, but order it by letter or telegram.

Mr. LANGEVIN. Such was the intention, but on enquiry we found it advisable, in the public interest, that the officer should go to England in person, and the result justified our decision. The cable was purchased at a much lower rate than it could otherwise have been, and having been personally selected by the officer who visited the stocks of the best houses, its quality is guaranteed. It has been laid down in the Gulf from one point to another and has worked admirably.

242. Amount required to complete payment for mail service between Victoria, B.O., and San Francisco..... \$4,760 00

Sir RICHARD J. CARTWRIGHT. What is this additional amount required for?

Mr. LANGEVIN. I think to pay for the service during the gap period between the old and new contracts.

243. Amount required to cover expenses connected with the bringing out of the screw corvette "Charybdis" ..... \$5,000 00

Sir RICHARD J. CARTWRIGHT. What is the total amount expended on this vessel up to date? Is this the first vote asked for?

Sir JOHN A. MACDONALD. It is the first vote asked for; but it is proposed to reduce it to \$5,000, by sailing the vessel across the ocean in summer with a company of sailors instead of with a lot of engineers and other expensive officers. I think there has been £400 expended in this vessel.

Sir RICHARD J. CARTWRIGHT. Is this a new departure? What is the intention of the Government? Is this to be the foundation of a fleet? We had a fleet before in the days of Minister of Marine Mitchell, with which we were to wage war against the Yankees. Is this to be such a war vessel?

Sir JOHN A. MACDONALD. She is to be a training ship.

Sir RICHARD J. CARTWRIGHT. Whom are you going to train?

Sir JOHN A. MACDONALD. Young Canadians who desire to embrace a nautical life or enter the merchant marine.

Mr. MILLS. The acquisition of this vessel was considered important enough to receive notice in the Speech from the Throne. One would have supposed the Canadian Government was receiving a very handsome present, but the vessel's boilers appear to be worn out and her timbers unsound. The Government have to wait till the weather is fine and the Atlantic less stormy, in order to bring her out. It was hardly worth while for the hon. gentleman to make such an ado about this old vessel that we have bought and have put such a eulogy into the mouth of His Excellency on the subject. The hon. gentleman gave us to understand we are to pay for her a great deal more than she is worth. The Finance Minister now announces they have been bickering with the English Government with regard to her value; that they have pointed out the Canadian Government have been imposed upon by the English Government with regard to an old craft of which they did not know the value; and now the First Minister tells us that the item will be cut down a half, and the ship brought out when the weather is fine. This is a very extraordinary conclusion a very high sounding announcement; and if the hon. gentlemen were to put in the Governor General's Speech everything else of no more consequence to the country, we should have hardly got through by this time with the reading of all the items and paragraphs the Speech would have contained. I do not know how the hon. gentleman should have so mistaken his political perspective as to have put alongside the subject of the Canadian Pacific Railway Syndicate such a matter as this old gun vessel the *Charybdis*.

Sir JOHN A. MACDONALD. The hon. gentleman (Mr. Mills) does not evidently like ships of war; he is a man of peace. But here we are: the *Charybdis* is our ship, and between the cost of the *Charybdis* and the difficulty of *Sylla* on the other side—we do not spell it with y—we are well attacked. But, seriously, though this vessel is not a new one, I do not think Her Majesty's Government could afford to give us a new one—she has been a ship of war in the Chinese seas for some years and has stood monsoons and simooms and rounded the Cape, arriving in England safe. And if she has survived all those tests, she can surely cross the Atlantic. Though old the ship is valuable yet, and ought not to be broken up. She will serve as a training ship for our young men wishing to enter the merchant service, which we wanted very much. The surveyors in Her Majesty's navy are very rigid in condemning ships which might sail in the commercial fleet for 20 years. As a block ship the *Charybdis* might defend the port of St. John. We have reduced the item by deciding upon employing a less expensive crew to bring the vessel out. We will thus dispense with the engineers, stokers, etc., and we could put her into the harbor of St. John where our young men could be sent to form a portion of our commercial navy.

Mr. MILLS. How many guns?

Sir JOHN A. MACDONALD. I do not know that she has any.

Sir RICHARD J. CARTWRIGHT. If she has no guns, how many of these youngsters are to be put on board this training ship, and what will they cost, as I take it for granted that an annual appropriation will be required for training and maintenance. I know that on the other side of the Atlantic there are a considerable number of these ships which have been turned to good account as a sort of nautical or rather reformatory school for the training of unfortunate lads picked up on the streets of great cities. I take it for granted that the hon. Minister does not intend to turn the *Charybdis* to that purpose. Are instructors to be kept on board, and are these lads intended for mates in the merchant service? If they are merely to be turned out as sailors they are likely, like other sailors, to go into

Sir JOHN A. MACDONALD.

every service under the sun, almost before they leave the training ship.

Sir JOHN A. MACDONALD. Of course, before we ask for a vote for the maintenance of this training school we are bound to be prepared with a plan for the ratification of Parliament, of the description of the work we expect to perform and the nature and extent of the tuition. I would be much opposed to commence by making the *Charybdis* a mere reformatory or prison for the training of young convicts.

Sir RICHARD J. CARTWRIGHT. They are not convicts.

Sir JOHN A. MACDONALD. Well, of castaways, waifs or vagrants such as those the hon. gentleman has referred to. I think we should rather make it a school for the training of the upper class of sailors such as mates and so on. Those who are unable from idleness or want of ability to pass the requisite examinations will always be valuable on account of the instruction and experience they may acquire as common sailors.

Mr. MACKENZIE. I suppose the hon. gentleman took care to inform the Government of the United States and other Governments, that his intentions in this matter are strictly pacific.

Sir JOHN A. MACDONALD. No; our intentions are solely confined to the Atlantic. We do not intend to go to the Pacific.

Mr. MILLS. No doubt we should be very thankful to the English Government for the great favor they have shown us in selling us this vessel; but after hearing the reference to it in the Speech from the Throne many were somewhat disappointed when they read in the newspapers the character of the vessel, and I do not think there is very much room, after all, for the glorifications which the hon. gentleman has taken to himself for this step in laying the foundations of a great naval power upon this continent.

Mr. ANGLIN. I think it would be well if we could get some idea of the cost of this vessel to the country hereafter, for we are now undertaking rather a serious obligation. The report we have received as to the condition of the *Charybdis* is based upon a survey of an officer of high standing on the other side of the Atlantic, and it appears that the boilers were considered to be in such a condition that it was deemed dangerous to take her across the Atlantic in winter, by the more favorable southern route, to say nothing of the more difficult northern route. It will take a great deal more than is now asked to put the vessel in proper condition. It will cost a great deal more than \$5,000. Perhaps the hon. gentleman may have occasion to send her across the Atlantic, but if she gets back safely she will remain the whole of the next year lying idle. During all that time it will cost a great deal to maintain her equipment. This vessel must be well manned with officers if these young gentlemen are to learn anything of their business. As far as defending St. John without guns or officers, it would be rendering us more defenceless than we are already. We ought to have some idea of what it will cost to put this vessel in an efficient condition and to render her serviceable for any purpose. My impression is that in the condition of our society it will be difficult to find young men to take service on a vessel of this kind. There are a large number of vessels leaving our harbors every day, and young men who desire to learn anything of marine service can always find room on board these vessels, and receive all the instruction there, and in the schools on shore, that they may find necessary. In the Lower Provinces we have never been at a loss for able and intelligent officers of marine. If this experiment is to be tried we ought to have a full statement of the probable cost.

Sir JOHN A. MACDONALD. I have already stated that before the House is asked to vote any additional sum, full information will be given as to the scale of the proposed institution. Of course, it can be commenced on a modest scale or on a large scale, as Parliament chooses. However, we thought that at all events the hon. gentleman would not object to a school of this kind being established in the vicinity of St. John. If we have a training ship at St. John or elsewhere it must be an old vessel, just as the training ships in England are old vessels that are being utilized. The hon. gentleman does not seem to want it, and perhaps he had better move to have the \$5,000 struck off.

Mr. KILLAM. It strikes me that if a vessel was wanted for a training ship, it would have been better to buy a good ship for half the money on this side of the ocean. I am sure that those who will want officers for mercantile vessels will not want the sort of officers brought up on board this vessel.

245. Gratuities to two members of Montreal Water Police.....\$ 5c7 30

Sir RICHARD J. CARTWRIGHT. I do not remember ever having seen any items of this kind in the Estimates before. I think this is the first occasion on which any considerable gratuity has been paid.

Mr. POPE (Queen's). It is well known that policemen should be in the prime of life, but there are two old men, seventy-five or eighty years of age, who have been for many years on the water police in Montreal. As they had served faithfully for many years, it was thought just to give them a retiring allowance.

Mr. GAULT. I have known Sergeant Wilson for over twenty-five years, and a more steady, reliable man is not in the force in Montreal. I think he is well entitled to this gratuity.

Sir RICHARD J. CARTWRIGHT. It is clear that men of that age are not qualified to discharge the duties of policemen, and I would like to know if no rule has been laid down as to the age in which men shall cease to occupy positions in the water police. That is the case in other branches of the service and should be so here. It is well to bear in mind that these gratuities are now proposed for the first time, establishing a precedent which will be used in regard to all the police employees who attain a certain age and are discharged.

Mr. POPE. This is the first time that gratuities have ever been asked for policemen. This is done simply because these men have served faithfully for many years, and were no longer able to perform the duties of that position.

246. Geological Survey.—Additional amount required to complete this service.....\$10,000 00

Sir RICHARD J. CARTWRIGHT. What special work is expected to be done for this sum?

Sir JOHN A. MACDONALD. The \$10,000 is made up as follows:—Printing the Geological Report, \$3,300; advances in order to get the parties off to the season's work early, \$4,500; preparation of maps for the report, \$1,200; and expenses for the removal of the staff from Montreal to Ottawa, \$1,000.

Mr. BLAKE. What is the cause of the additional cost of \$300 for printing the report?

Sir JOHN A. MACDONALD. This is on account of the report which will appear next year. The work of preparation has been commenced earlier than usual.

Mr. MILLS. The report has heretofore been printed privately in Montreal, for the reason given by Mr. Selwyn that there was great danger of inaccuracy if it were printed where he could not supervise the work. But now that the Geological Branch is to be removed to Ottawa, the reason for printing it privately will no longer exist, and I do not

see why it should not be printed like other public documents by the public printers of the House.

Sir JOHN A. MACDONALD. The present report, I take it, is now in hand. When Mr. Selwyn and his staff are here, I presume—although I speak without having consulted Mr. Selwyn—that the report will be printed here.

Mr. MILLS. When is the staff to be removed from Montreal to Ottawa?

Sir JOHN A. MACDONALD. On the opening of navigation.

252. To refund to the representatives of the late A. M. Delisle, shipping master's fees paid into the Treasury by him in error whilst acting as Collector of Customs at Montreal..... \$2,457 29

Sir LEONARD TILLEY. There were certain duties performed by the late Collector of Customs in Montreal for which he received certain fees separate and distinct from his duties as Collector of Customs, that he paid into the Treasury. His successor, Mr. Simpson, collected the fees and appropriated them, with the assent of the late Government, to his own use in addition to his salary. The heirs and executors of Delisle claimed they should be placed in the same position as Simpson, by receiving the fees for the registration of vessels, which Mr. Delisle should have appropriated, but did not. The Government, after consideration, placed those executors in the position claimed.

Mr. BLAKE. This seems a very extraordinary proceeding. The late collector, it is said, did not receive those fees, but paid them into the Treasury. I suppose he understood they did not belong to him, yet the Government decide to surrender them to his executors.

Mr. JONES. They did belong to him.

Mr. BLAKE. I do not know whether they did or not. As a general rule, officers take all that belongs to them, and occasionally what does not.

Mr. JONES. He was honest; the present collector is honest too.

Mr. BLAKE. I know nothing about the present collector. But the late collector did not think the fees belonged to him, and the Government do not think they belong to them. That was the state of things during all his incumbency. But the next collector claims the fees, and I suppose the Government was not entitled to them, or they would not have let him keep them. I do not understand why the system satisfactory to the late collector and the Government should be now changed, and the fees taken out of the Treasury and given to the collector.

Mr. POPE (Queen's). I will correct the hon. gentleman (Mr. Blake) who, I think, misunderstood the finance Minister. In the most important ports the shipping masters are appointed and paid by fees, 50 cents for every man put on the articles, and 50 cents for every man discharged. The Collector at Montreal for years received these fees and paid them in, and the Collector at Quebec retained them, as he had a perfect right to do. The fees were paid in by mistake by the Montreal collector till they amounted to over \$2,000. Mr. Lash, Deputy Minister of Justice, gave it as his opinion that the Delisle executors were fairly entitled to the fees claimed. The collector is, by virtue of his appointment, shipping master, and has a right to collect the fees.

Mr. BLAKE. Is Mr. Simpson now receiving them?

Mr. POPE. Yes.

Mr. BLAKE. Why, if Mr. Simpson has nothing refunded to him, should the fees be refunded to the representatives of the dead man?

Sir LEONARD TILLEY. Mr. Simpson received the fees up to a few months after the present Government was

formed, when it was decided that, instead, there should be a rearrangement of his salary. Our action placed the Delisle claimants in the same position as Simpson was put in by the hon. gentlemen opposite. Simpson's salary has been increased, and the fees are now paid into the Treasury.

Mr. MACKENZIE. Why draw the line at Delisle? Why not go back to the other dead people?

Sir LEONARD TILLEY. Deslisle was collector many years, and his executors state that while he lived he claimed he was entitled to this money, and that as his successor had been allowed it, it would not be right to make any invidious distinction between the late and present collector.

Mr. MACKENZIE. It should go to Delisle's predecessors, too.

Sir LEONARD TILLEY. They do not ask for it.

Mr. JONES. The present collector does not receive those fees, as I understand; but now the Government intend to give them to the representatives of the man dead.

253. Amount required to pay Sir A. T. Galt for services and expenses during June, July, August, and September, 1879, whilst continuing trade negotiations with France, Spain, etc., (revote)..... \$4,058 32

Sir LEONARD TILLEY. This is a revote, the money having been appropriated last Session. But the advance was made by the Bank of Montreal, and the year expired before the details came in. So we have to ask a revote.

Sir RICHARD J. CARTWRIGHT. Has the hon. gentleman any information to give us about the negotiations themselves? What about the results and the renewal of negotiations?

Sir LEONARD TILLEY. There is a hope of their renewal, and Sir A. T. Galt is awaiting a favorable opportunity of renewing them.

Mr. BLAKE. The only proof of those negotiations is the payment of divors sums for them. What is their total cost so far?

Sir LEONARD TILLEY. The items are given under different schedules, and my hon. friend is good at adding up.

Mr. MACKENZIE. I asked on one occasion if Colonel Bernard's superannuation salary had been paid to him in full while engaged in those negotiations, for which he was also paid. I was told that I should get the information on concurrence last year, but did not. I presume I shall get it now.

Sir LEONARD TILLEY. I think he was associated with Sir A. T. Galt in this work, and that in addition to whatever he received for it, he was paid his superannuation allowance.

254. To cover expenses connected with the Civil Service Commission..... \$5,000 00

Mr. CASEY. I am glad that the report of those Commissioners has at last come down, but if we really intend to go on with a reform of the Civil Service, we have lost a great deal by the fact that the report has not come down until the very end of the Session. I am not inclined to blame the Commissioners for slackness or negligence, for I am inclined to think that the reason for the delay is that the Commissioners were nearly all connected with the Civil Service, and that, therefore, their time was pretty fully occupied by their regular duties, so that they could not, perhaps, get on any faster. The fact remains, however, that a Commission which was instituted in June last did not report until a short time ago. We were not led to expect last Session that action on the subject would be delayed so long. First, we were promised a Bill last Session, and at the end of the Session the Premier in Sir LEONARD TILLEY.

stating that he had given up the idea of bringing in a Bill then, remarked that the Bill had been prepared before the beginning of the Session. For some reason or other, probably in order to obtain fuller information, it had been postponed for that year, but the hon. gentleman said that it would be matured during the summer and brought down at an early period this Session. The issuance of the Commission was delayed for nearly two months after the Session closed, and the Commissioners took nine months to report. So that it does not look as if the Government were anxious to formulate any measure of reform in the Civil Service. The report seems to indicate that the Commissioners have gone thoroughly into their work, and that they have taken a great deal of trouble to enable them to form an elaborate and finished opinion as to the evils of the present system, and as to what should be substituted for it. I am glad to notice that their opinions on both these points concur so exactly with those which I have been pressing on the House for several years. Neither they nor I can, of course, claim originality for these views, because they are taken almost without alteration from the system at present in operation in England; and the fact that it is not an untried or theoretical system is the strongest argument in favor of the proposed scheme. The Commissioners conclude that a system which has been found to work almost perfectly in England, in curing the evils attached to political patronage, would have the same effect in Canada, and they strongly urge its adoption. Although the report has only lately reached us, I do not suppose the Government have been altogether ignorant all this time of the evidence which has been taken, or the conclusions of the Commissioners, so I think it is not unreasonable to ask the Government whether they have formed any opinion as to the advisability of carrying out the views of the Commission or some of their views in the future. If the Government do not do so now, perhaps they might in concurrence.

Sir JOHN A. MACDONALD. The hon. gentleman says truly that the report is a valuable one, but he is mistaken in supposing that the Government had any means of knowing what conclusions the Commissioners were arriving at, or what conclusions they would arrive at. That would be contrary to the spirit in which all such Commissions should be conducted, because it might naturally be held, and would be held rightly, that if there was any communication between the Government and the Commission the independence of thought and action of the Commission would be destroyed and the report would be practically worthless as an independent expression of opinion. The Government simply selected men whom they thought were fitted for the work of the Commission; they were told their duties and they were left to the performance of those duties—really the only way in which a valuable report could be got. It appears also from the report that it was not an unanimous report, but that there are some differences of opinion, and those different opinions we have not yet received. The hon. gentleman deserves credit for pressing this matter as he has done before the attention of Parliament for several years; he did so before the last Parliament as well as the present. The great matter is with all deliberation to get established a good principle for the working of our Civil Service at headquarters, and in the outside service, and in order to get that people should not grudge a little delay. The Commissioners will, I believe, carefully select for the purpose of representing the departmental sections of the inside service. A gentleman of large experience was placed at the head of the Commission, and a Montreal gentleman specially qualified, and independent, was also a member. So that they were selected with a view to trying to obtain an independent expression of opinion from competent persons as to the present system and the best means of

remedying it. There was placed at their disposal a very full collection of reports on all the continental systems as well as the system which obtains in England. The report of the commission is a very good one and shows the ability and care with which the members addressed themselves to the subject. The appendix is very voluminous, and there is a large body of evidence that will in due time see the light. The Government are now fully charged with all the means for arriving at a final conclusion as to the policy which they will propound to Parliament in the future. There was prepared for last Session a Bill on the subject, but there was so much difference of opinion among those I consulted that the hon. gentleman thought it better on the whole to appoint this Commission. I did not, nor did the Government, ever ask the Commissioners to form any opinion or express any opinion as to the question of standard examinations or any thing of that kind, but left it as much as possible to the Commissioners to report on the best means on the whole. I am sure the time has not been lost, and the Government will be in a better position to deal with the subject by having this valuable report before them.

Mr. CASEY. Although I cannot expect the Premier would give the House details of the proposed scheme, I thought he would have been prepared by this time having so nearly made up his mind, to say whether he approves of the general principle of substituting competitive examinations for appointments by political favor. That may perhaps be a subject on which there is a difference of opinion between himself and those whom he has to consult. The objection to a change will be less towards the end of a Parliament than at the beginning, as the offices will be to a considerable extent filled up by that time. An objection to the introduction of any such scheme as is proposed by the Commission, should the Government decide to adopt it, was that the party out of power for the time being might have filled all vacancies before the close of Parliament. This Session, being the middle Session of the Parliament, would have been a most propitious time for the introduction of such a scheme as that submitted by the Commission; and for that reason it is much to be regretted that the Government did not hasten the report, and had it submitted at the beginning of the Session, or immediately after the close of the Railway Debates. In the Order in Council appointing the Commission, the Government made a very full confession to previous knowledge as to the present state of the service, which is worth while to recall to their recollection. They set out five points :

"1st. That many changes in the character as well as the extent of the service required in each department had developed themselves.

"2nd. That the duties of some departments and of some branches of each department and of certain officers in each department, had been varied, diminished or increased.

"3rd. That many men had by old age, incapacity, bad habits or continued idleness, become unavailable for useful purposes.

"4th. That the number of men in each department had increased, it was thought, out of proportion to the needs of the service.

"5th. That young men had been appointed who, from want of education or strength of constitution, or general unfitness, had not made and would not make efficient public servants."

The Government seem to have been pretty well informed before they appointed the Commission as to the Civil Service, because there are only some of the items of information they gave the Commission. I do not think the Commission has told us anything which we did not previously know; but the Commission was necessary to carry out details of the scheme, and the Government, at this stage, should have stated their general policy as to the principle of competition or nomination.

In reply to Mr. MILLS,

Sir JOHN A. MACDONALD. In anticipation of having a report on this subject, the Government has proposed the filling up of a good many offices, and anything like a readjustment of officers. They have avoided as much as

possible hampering themselves or their successors, until the report has been considered.

256. Payments made to the Hon. Hector Fabre, for expenditures connected with special services in France.....\$2,931 11

Sir RICHARD J. CARTWRIGHT. I would like to know what are the special services which have been rendered by Mr. Fabre. Last year a somewhat similar sum was placed in the Public Accounts for the same purpose, yet we have not seen any report from Mr. Fabre of what he has been doing.

Sir JOHN A. MACDONALD. I think the Order in Council has been laid before the House.

Sir RICHARD J. CARTWRIGHT. I do not remember seeing it.

Sir JOHN A. MACDONALD. I am much mistaken if it was not laid before Parliament. Mr. Fabre is intimately acquainted with the chief men connected with the French Government at that time, and we thought it very useful that he should collect information, since both the Imperial and Canadian Governments were making arrangements for a renewal of the commercial treaty originally settled between Napoleon and Cobden. The Canadian Government applied for leave to be represented, and as Mr. Fabre was intending to go to France we invited him to do so, and he went. Of course we only paid his expenses, he got no salary. At Paris he had extensive communication, especially with the financial branch of the French Government, and he also rendered great service in writing up the whole Canadian case in the Parisian press and keeping the subject steadily before the French mind. We considered it of great importance to have there a man of Mr. Fabre's literary skill to draw the attention of the French people to Canada, and to the importance of a reciprocity treaty.

Mr. MACKENZIE. I asked for some information about this gentleman's proceedings last Session and none could be got. Now we have another large sum brought down to pay for certain expenditures. What are these payments for?

Sir JOHN A. MACDONALD. To pay his expenses.

Mr. MACKENZIE. His expenses never reached \$4,000 during the time he has been there, not half of it. I understand one of the Ministers in the other House acknowledged the Government was disappointed in the results of this mission. I do not wonder, when, after two years and a-half, they are not able to produce one scrap of writing to show what he has done. Where are the articles in the Paris press? How are we to know they were written by him? I happen to know something of this case. I refused an application from that quarter to perform this sort of service, and the gentleman went immediately into opposition in the Senate, and his paper went into opposition to the late Government. In the meantime the change of Government took place, and they applied, singularly enough, so the hon. First Minister tells us now, to Mr. Fabre if he would not do this for them. I would like to know if the right hon. gentleman has not made a mistake, if it was not Mr. Fabre who applied to him?

Sir JOHN A. MACDONALD. Mr. Fabre never applied to me.

Mr. MACKENZIE. Did he never apply to the Government?

Sir JOHN A. MACDONALD. No; I do not think so.

Mr. MACKENZIE. Then what member of the Government solicited Mr. Fabre's services?

Sir JOHN A. MACDONALD. I do not think any of them did.

Mr. MACKENZIE. It appears it was an accidental meeting between Mr. Fabre and the Government. The

result of all is, that the country is amerced in the sum of \$4,000 for nothing.

Sir JOHN A. MACDONALD. No.

Mr. MACKENZIE. Where is the work? If the hon. gentleman had commuted with him and paid him one-half, they would have him here and got his vote—as they are scarce of votes in the Senate—as the country has nothing for it.

Sir JOHN A. MACDONALD. The country had the advantage of his services for a long time, but they may now have ceased. The hon. gentleman might as well ask, what has Sir A. T. Galt done? What has the British Government done? I suppose the hon. gentleman follows current events. England cannot hurry France. England has been in continual negotiations with the French Government for the purpose of adjusting the Cobden treaty. Diplomats act slowly, and negotiations are still going on. I know that on several occasions Sir A. T. Galt has been warned to be ready to take part in negotiations which were about to be resumed between England and France. He will do just as Lincoln said—keep pegging away. It is of great value to Canada that we should have a commercial treaty with the great French market. The hon. gentleman must see that at present it is quite impossible to bring down in any specific way whatever any of these communications.

Mr. MACKENZIE. Sir A. T. Galt, I am bound to say, did give us at least a narrative of his journey. That is all it amounted to. There was a pleasant account of some conversation he had with the Spanish Minister, with expressions of his opinions in regard to the country and people; but anything regarding his commercial negotiations never appeared in any of his papers. The result of the visit of Sir A. T. Galt to France, of Mr. Bernard, and afterwards of Mr. Fabre, has been that instead of getting any advantage for ships built in Canada to sell in France, the shipping arrangements made in France are more hostile than ever; they exclude foreign-built ships to the benefit of native industries. A bounty is paid of two francs and a half, I think, to vessels for every thousand miles they sail, and under that bounty new steamship lines have been organized and sail in various directions. Not one particle of benefit has been derived from the visit of these gentlemen to that country, and one cannot help thinking that there was very little ground for making these appointments except to provide for political friends.

Mr. BLAKE. The hon. gentleman has said that Mr. Fabre's relations to the Government in this particular have ceased for some time.

Sir JOHN A. MACDONALD. Yes.

Mr. BLAKE. Then I suppose that some report has been presented to the Government by Mr. Fabre of what he has done.

Sir JOHN A. MACDONALD. There has been no report. He has been in continual communication with Sir Alex. Galt, and has reported to him.

Mr. BLAKE. He has not reported to the Government which pays him except to render certain accounts which we see here. Is this money for his maintenance while in Paris?

Sir JOHN A. MACDONALD. Yes, I suppose so.

Mr. BLAKE. And the hon. gentleman thought it was particularly desirable that he should get into relations with the Financial Department of the French Government of the same character as we see in the estimates?

Mr. CASEY. The hon. member for Lambton does not seem to be aware that Mr. Fabre's visits have had similar results to those of Sir Alex. Galt. The hon. gentleman has told us of the nice accounts of his

Mr. MACKENZIE.

travels which Sir Alex. Galt has given. I happen to subscribe for Mr. Fabre's paper, in which he has given most charming accounts of the French operas and plays, and of everything occurring in the social circles of Paris. It is certainly of great advantage to Canada, to have in Paris a gentleman who so uses his literary talents. If the country is not quite satisfied with the return made by Mr. Fabre, the Government should at least be satisfied, for whatever he may write to the French papers, he writes very elegantly in his own paper in favor of the Government of Canada.

Mr. MACKENZIE. I would suggest to the hon. gentleman to telegraph to Sir Alex. Galt to-morrow morning and ask him whether Mr. Fabre has reported to him or not. We can easily obtain that information before concurrence.

258. To repay Mr. Geo. G. Dustan for expenses connection with the preparation of the Tariff ..... \$453 75

In answer to Sir RICHARD J. CARTWRIGHT,

Sir LEONARD TILLEY. In 1879, when the Government were dealing with the Tariff, they placed themselves in communication with the leading men in the different parts of the Dominion who possessed more knowledge on the various subjects than the members of the Administration could possibly possess. The sugar question, then, as always, was an exceedingly difficult question. Mr. Dustan was regarded as having great experience in such matters, and he was invited, among others, to come to Ottawa and confer with the Administration relative to the duties on sugar. Mr. Dustan came here, with other gentlemen who were interested in the refining and importing interests. We heard their arguments on both sides, and after deliberating with them, came to a conclusion. Subsequently the Government again sent for Mr. Dustan, and one or two other gentlemen representing the refining interest, to reconsider the question which had been before them on the former occasion. Mr. Dustan therefore made two trips from Halifax and remained here about ten days on each occasion. When we had disposed of the matter, I asked Mr. Dustan what his expenses in coming here were, saying that I was prepared to pay them. Mr. Dustan's answer was, "I will not take a cent from the Government, because I am in hopes, with the plant I have, of establishing a refinery in Halifax, and I will not have it said that I have received a cent, because it might be said I am here working in my own interest." Circumstances occurred, however, which made it impossible for him to use any of his plant. Under these circumstances, unable to derive any advantage from the change in the Tariff, he said, "My circumstances are now such that I feel that I have a right to receive the amount of my expenses to Ottawa." The Government therefore ordered it to be paid.

Mr. BLAKE. He came in his own interest to represent the views of refiners as to what taxation should be imposed on the people to benefit them, and received compensation from the Government for his attendance. It was the sugar refiners, therefore, we are now told, who prepared the Tariff.

Sir LEONARD TILLEY. They did not prepare it. The representatives of the sugar importers, men engaged in the West Indian trade, also attended. We did not accept the recommendations of the sugar refiners. We took an intermediate course, and our course satisfied both interests.

Mr. BLAKE. The estimate says:—"To repay Mr. Dustan for expenses incurred in connection with the preparation of the Tariff." Mr. Dustan then prepared the sugar tariff.

Sir LEONARD TILLEY. He gave his views as did others whose expenses were paid.

Mr. PATERSON (Brant). Where are the expenses of the importers?

Sir LEONARD TILLEY. They did not ask any. We offered other parties their expenses. Some refused; others, who were experts, accepted.

Mr. BLAKE. The rest of them took it out of the people in taxes. As Mr. Dustan could not go on with his refinery, his expenses were paid by the Government.

Mr. PATERSON (Brant). It is hard to ask the House for this amount when the figures are before us shewing that while the people pay increased prices for their sugar, the revenue is decreasing from that source.

261. To provide for the cost of obtaining stamps and for the stamping of imported and Canadian Tobacco, under the provisions of 43 Vic., Chap. 19, and for other expenditure in connection with securing the duty on Tobacco .....	\$12,000 00
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Sir RICHARD J. CARTWRIGHT. What is the duty received on this?

Mr. BOWELL. The amount collected on Canadian leaf in 1878-9, when the duty was 10 cents, was on 1,402 lbs., \$40.20. At that time it was believed a large quantity of Canadian tobacco was grown in different sections of the country, which not only went into home consumption, but was also used in the manufactured generally without paying duty. The duty was reduced to 4 cents the following year, and was collected on 43,743 lbs., \$1,749.76; for the seven months from 1st July to 31st January, 1881, it was collected on 191,321 lbs., at 4 cents, \$7,652.90. If the increase is in the same ratio for the other five months, it will show a duty paid on 327,984 lbs., or \$13,119.36. This shows that although the duty has been reduced from 10 cents to 4 cents, yet by the exercise of close supervision by the revenue officers, the revenue has gradually increased.

Sir RICHARD J. CARTWRIGHT. I suspect that would take the place of a larger amount of foreign tobacco which pays higher duty.

Mr. BOWELL. It would to a certain extent, but not to any appreciable extent, because it was grown almost as extensively before as now, but there having been no supervision over the growers, the tobacco went into general consumption without paying the duty. Since the appointment of the Inland Revenue officers, they succeeded in obtaining payment of duty on 191,000 lbs., when previously only 1,402 lbs. paid duty.

Mr. BLAKE. Was not the great bulk of the revenue collected in Joliette?

Mr. BOWELL. Yes; over \$4,000. The amount was 112,777 lbs. From Montreal district, the amount was 7,370 lbs.; from Quebec, 6,511; from Sorel, 27,295; from St. Hyacinthe, 14,241; St. Johns, 4,546; Terrebonne, 2,948; Three Rivers, 147,666; Beauharnois, 867½ lbs.

Mr. BLAKE. It looks as if the late Minister of the Interior who represented Joliette, had used persuasion with his own constituents to make them honest and pay the tax. It looks as if he and not the revenue should get credit for this large increase.

Mr. BOWELL. It proves there was at least one honest Minister in the Government.

265. To enable the Department to purchase instruments for testing Petroleum, and to pay expense in connection therewith, under the Petroleum Inspection Act, 1880 .....	\$7,500 00
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Mr. BLAKE. Are these instruments of the flash test or specific gravity sort?

Mr. BOWELL. We wish to get a new instrument lately invented in England which, after consideration, we deem the best—it is of the flash test kind.

Mr. BLAKE. That is the instrument to be used under the Act lately introduced?

Mr. BOWELL. Yes.

Mr. BLAKE. The reason I make the inquiry is that, according to my view, it is a quite different instrument that would be purchased under the item of 1880—one that might turn out useless. The date should be altered.

Mr. BOWELL. The hon. gentleman is right; and that was our reason for lowering the test under the present Act, as the test is better with the present instrument. I suggest that the year be altered. The Minister told me he intended to change the figure to provide for the new test and meet the requirements of the Act.

270. Additional amounts for pay of Land Guides. \$2,500 00

Sir RICHARD J. CARTWRIGHT. How many land guides are there in the Government employ, and what salaries are paid them?

Sir JOHN A. MACDONALD. There are only two at present. There were three during the winter including the chief. During the summer there were Hayter Reed, the chief, and nine or ten guides altogether. All were paid off but three. Mr. H. Reed has since been made a stipendiary magistrate, and gone west.

Sir RICHARD J. CARTWRIGHT. Complaints have been made—I am not prepared to say how far justified or not—that many land guides speculate to a great extent in and sell Government lands that they have got possession of to the emigrants under their charge. If true, this may become a very serious abuse; because it is quite evident that it is incompatible with the position and character of these people that they should be authorized by the Dominion and at the same time land speculators on a pretty large scale. I am not pledged to the fact, but the statement was made extremely freely to me at various points in the North-West.

Sir JOHN A. MACDONALD. The plan which was mentioned last Session, and which I think was generally approved of, was simply this: immigrants going to Winnipeg from abroad had the prairie before them, and no means of knowing where to go to, and especially foreigners, for if they went from Ontario they would pretty well understand the nature of the country. We thought, therefore, that it would be well if a certain number of guides were appointed, so that after a party of immigrants had selected their location, one of these guides might accompany them and take care of them. These guides were detailed for this service by Mr. Reed, who, I think, will be admitted by all to be an excellent man for the position. Of course the charge of land speculating is easily made; it might perhaps be true, but if it be true it is an abuse. The general rule is, I think, these parties of immigrants go to the land offices and enter for homesteads on any particular locality which they have been lead to believe will suit them. If it were true that these guides, acting from sinister motives, were endeavoring to sell lands to immigrants or acting as agents in that way, they would at once be dismissed as unfit for the position. This ensuing year it is not intended to fill the place of Mr. Reed—of whom we thought so much that we appointed him a stipendiary magistrate—but Mr. Hespeler, an officer of the Agriculture Department, who understands the business, will act as head of these guides and will save us the salary paid to Mr. Reed. We think it would be well to retain the corps of guides for the present, but of course as settlement progresses back from the line of the railway the necessity for this service will disappear. The matter which has been mentioned by the hon. gentleman will, however, be enquired into.

Mr. MILLS. I think these guides serve a very good purpose and that no better man could have been put in charge of

them than Mr. Hespeler. I think there is more danger of speculating among the various agencies than among the guides, and from what I can gather it has happened that these land agents have acted as agents for speculators. Persons have gone to an agent and asked to be entered for a particular lot as a homestead, and have been told that the lot was taken up, when they knew from their own personal knowledge that it was not. The only conclusion they could come to was that the agent was acting for some speculator, who would allow them something for locking up particular lots. There is no doubt whatever that the greatest danger to settlers will be the temptations held out to land guides to act as agents for the purchase of land.

Sir JOHN A. MACDONALD. The land guides should be precluded from speculating in lands for outside parties, and I would certainly make short work of persons so offending.

Mr. MILLS. Special instructions should be given to that effect.

Sir JOHN A. MACDONALD. Such instructions, I am informed, have already been given, and if the parties break their instructions they show themselves to be unworthy of their office.

274. Amount required to enable the Department to push forward Land Surveys without waiting until the 1st July ..... \$100,000 00

In answer to Mr. MILLS,

Sir JOHN A. MACDONALD. Surveys will go on just as they did in the hon. gentleman's time.

Mr. MILLS. It was suggested before in the department, and I do not know but that was the plan the hon. gentleman had adopted, of laying out lots extending backwards a sufficient distance to include the necessary quantity of land, in accordance with the system of surveys he proposed to adopt, along the rivers so as to establish a dense settlement along the line of railway.

Sir JOHN A. MACDONALD. No; that is not the intention.

Mr. CHARLTON. Last year the Premier estimated that the cost of surveys of Dominion lands would be some 2½ per cent. of the receipts from land sales. I would like to know if, in the light of further experience, he expects to realize those anticipations.

Sir JOHN A. MACDONALD. I am not able to answer that question just now.

In answer to Mr. BLAKE,

Sir JOHN A. MACDONALD. The Canadian Pacific Railway Company has not yet made any report or official request to the Government to approve of any certain line for the railway, and no plans have been sent in as yet. There have been informal communications between the Department and the Company, showing generally where they desire to have their line, and that line will be perfectly agreeable to the Government.

Sir RICHARD J. CARTWRIGHT. That is, it will pass by what are known as the Assiniboine Rapids?

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD J. CARTWRIGHT. I indicated some months ago that they would come to this point, and I was strongly contradicted by some of the hon. gentlemen opposite. That will bring them considerably south of the line which was laid out by the Government for the second one hundred miles.

Sir JOHN A. MACDONALD. Yes; they run considerably south.

Resolutions ordered to be reported.

Mr. MILLS.

#### DOMINION LANDS.

Sir JOHN A. MACDONALD moved a third reading of the Bill (No. 77) to amend the Dominion Lands Act.

Mr. MILLS. I beg leave to move:

That the Bill be recommitted to Committee of the Whole House, with instructions to amend the 4th clause, by providing a limitation of the area of land which may be sold to one person.

He said: I think, from the discussion we had on the law last evening, and from the admission made by the hon. gentleman himself, it is pretty clear that this power is more than is necessary for the administration of the department. The hon. gentleman himself admitted it was not desirable to sell so large quantities of land, even to herdsmen, as it was intimated that certain persons wanted. I think, therefore, there can be no objection to this motion.

Motion lost on division.

Mr. CHARLTON. I wish to enter my protest against the provision of this Bill, which was protested against by myself and other members of the Liberal party last Session. On that occasion, I moved the following resolution:—

“Resolved—That in the opinion of this House, the proper policy with reference to the disposition of the public lands of Canada should be, so far as practicable, to sell such lands to actual settlers only, on reasonable conditions of settlement; and in lots or quantities limited to area which can be reasonably occupied by the settler; and that the sale of public lands to speculators, free from conditions of settlement, is impolitic and calculated to injuriously affect the settlement of the country, by keeping large quantities of land locked up for years, and by obliging the settler thereon ultimately to pay a price much larger than that which is paid into the public Treasury for the same.”

I am sorry that the Government insist upon pursuing that injurious policy. If we are to become a nation, our hopes centre in the North-West, and it is of the utmost importance that our policy with reference to the sale of public lands in that Territory should be a wise policy. It cannot be denied that the settlement of any new country is retarded by speculative purchases, without any advantage to anybody but the speculator; and the evil of speculative purchases is aggravated by the fact that the Government facilitates these purchases by selling lands on credit. The Government last year tacitly admitted the existence of this evil by asserting that it would remedy itself by local taxation on non-resident lands. I notice, however, that they have not followed out that principle, because they have granted a very large area of lands to a company and exempted them from taxation. This Bill, if it becomes law, will introduce into the North-West a system of tenantry. Persons like Mr. Basseby undoubtedly make large purchases with the object of settling tenants upon their land. It should be the policy of this Government to create a large number of freeholders and to prevent as far as possible that system of tenantry which now prevails in England, Ireland, Scotland, and various parts of Russia. We are building for the future, and the experience of the United States and Canada should teach hon. gentlemen occupying the Treasury benches that the policy they propose to introduce under this Bill must prove inimical to the interests of the best portion of this country. The public domain is the people's heritage, and should be held as the sacred trust of the people; no middleman should be allowed to come between the Government and the people who have to cultivate the lands of the North-West. The land gambler is a public enemy; and the Government, in facilitating the operations of these men, are taking a course which is inimical in the last degree to the interests of the people. The United States Government, which has had great experience in the management of public lands, last year appointed a commission to report on the best policy regarding public lands, and that commission reported in favor of the absolute reservation of lands for homestead

settlement, and against speculators. I maintain that settlement should be made a condition of sale. I therefore move:

That the Bill be recommitted to a Committee of the Whole, with instructions that they have power to amend Clause 4 by enacting, that except where otherwise provided by Resolution of this House, all lands shall be disposed of subject to conditions of actual settlement.

Motion negatived on division.

Mr. HOLTON. Without detaining the House, I move:

That the Bill be recommitted to a Committee of the Whole, with instructions that they have power to amend Clause 4 by providing that the unappropriated even numbered sections in each township shall be disposed of only upon condition of actual settlement.

Motion negatived on division.

Mr. BLAKE. Last Session we urged very strenuously on the House that those lands which were to be sold not on condition of actual settlement should be sold only on condition of the price being paid in cash at the time of sale; and we indicated to the House what we thought would be the evils to flow from sales made on credit for speculative purposes. Only last night I read to the House from the report of the Minister of the Interior a statement that some of these evils—not the largest part, in my opinion—had already begun to manifest themselves—an irregularity and dilatoriness of payment which the officer stated it seemed would only be cured by making very stringent provisions for the cancellation of sales in cases of default. In my opinion it would not be possible for any Government to carry on extensive sales not on condition of settlement and the conditions of time proposed by the officer. There is only one cure, and that is to give up the time sales to speculators and provide, as we proposed last year, that sales shall be only for one price, payable at the time of sale, I move:

That the Bill be re-committed to a Committee of the Whole with instructions that they have power to amend Clause 4 by providing that the price of Dominion lands sold without conditions of settlement shall be payable in cash at the time of sale.

Motion negatived on division.

Bill read the third time and passed.

#### SUPPLY—CONCURRENCE.

Resolutions reported from Committee of Supply, considered.

On Resolution 119 (March 4th)—River Saskatchewan improvement, \$20,000,

Sir RICHARD J. CARTWRIGHT. I think some information was promised about this work. To what extent will the river be made navigable? What depth of water at the low season does the Government hope to supply by this expenditure?

Mr. LANGEVIN. My information is that the length of river will be about 900 miles, and the depth of water  $3\frac{1}{2}$  to 4 feet at low water.

Sir RICHARD J. CARTWRIGHT. That will not be done for \$20,000 and the \$12,000 furnished by the Hudson's Bay Company.

Mr. LANGEVIN. The improvements will cost only that.

Sir RICHARD J. CARTWRIGHT. I shall be glad if the hon. gentleman can secure the three or four feet of water spoken of for that expenditure, which, from my information, I somewhat doubt. However, the vote is a proper one.

Mr. LANGEVIN. The water is in the river, and we have only to make certain dams, and do a certain amount of dredging. I understand the vote will be sufficient.

On Resolution 121—Harbors and rivers generally, \$6,000,

Mr. MILLS. When this item was under consideration in the Committee, I spoke of the dredging in the Sydenham

River, to remove some obstruction in the shape of sunken timber, &c.

Mr. LANGEVIN. I found that some dredging took place, but it was with great difficulty that the slabs and other obstructions could be removed. I am not in a position to say to-day that we will be able to have machines to carry on this work; but if it is possible, as I hope it will be, the work will be prosecuted.

Mr. MILLS. The plan followed in the Marine and Fisheries Department is to use dynamite, and it works very successfully.

On Resolution 122—Dredging, \$122,700,

Mr. KILLAM. I would like to ask the Minister how the dredges in the Lower Provinces—the large dredges, the "St. Lawrence" and "Canada" especially—are likely to be employed this summer?

Mr. LANGEVIN. They will be employed upon a number of works in the various Maritime Provinces; but, of course, I cannot say at what point any particular dredge may be employed.

Mr. KILLAM. My object in mentioning the matter is this: Considerable improvement has already been made in Yarmouth Harbor by straightening it at one point, but another point still remains to be cut. If one of the large dredges is to be used at the Intercolonial terminus in St. John, I thought that during the freshet season, when it could not work properly, then it might be sent to finish the work at Yarmouth.

On Resolution 127 (March 8th)—Maintenance and repairs of steamers, \$120,000,

In answer to Mr. GAULT,

Mr. LANGEVIN. I know that the "Rimouski" is not a very pleasant little tender, and people that have crossed the Atlantic without being sick say, that when they go on board that vessel they become so sick they will never go again. But I do not think the Government are in a position this year to ask for a vote of money to replace her. The matter will be considered during recess.

House adjourned at 1:20 o'clock, a.m.

#### HOUSE OF COMMONS.

WEDNESDAY, 16th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### CANADA TEMPERANCE ACT.

Mr. OUMET moved that the Order for the second reading of Bill (No. 94) to explain and further amend the Canada Temperance Act, 1878, and the Act of 1879 amending the same (from the Senate), be made the first Order for this day.

Mr. BLAKE. The motion is not in order. The hon. gentlemen has a notice on the paper.

Mr. OUMET. On account of the importance of the subject, this House should be unanimous in affording an opportunity for the discussion of this Bill. The fact that this Bill is now before the House has directed public attention to it, and it will be for the benefit of even the temperance cause that it be discussed, and thrown out if the majority of the House so decide, rather than it should be left over for consideration next Session. The temperance cause, that is those persons not teetotalers, would also benefit by it.

Mr. BLAKE. I do not observe that the hon. gentleman has addressed the House on the point of order.

Mr. SPEAKER ruled the motion out of order.

Mr. OUIMET. I hope the Government will give an assurance that time will be given for the consideration of this Bill.

Mr. BLAKE. The Finance Minister is leading the House, and will answer the hon. gentleman's question.

#### BEACON LIGHTS AT BLACK LAND GULLY.

Mr. GIROUARD (Kent) enquired, Whether it is the intention of the Government to make provision this year for the erection of beacon lights at Black Land Gully, Kent County, New Brunswick, in conformity with resolution passed by County Council of said county, praying for the same?

Mr. POPE (Queen's.) A petition numerously signed by the people of the County of Kent, was sent to the department, asking that beacon lights be placed at that particular place. Information has been asked from the agent of the department, and the matter is now under the consideration of the Government.

#### THE CLAIM OF JOSEPH CHARLES LISLOIS.

Mr. LANDRY enquired, Whether it is the intention of the Government to compensate Mr. Joseph Charles Lislois for the amount lost by him through the burning of one of his buildings, set on fire by a spark from a Government locomotive on the Intercolonial?

Mr. LANGEVIN. The Government will give the matter its consideration after the present Session.

#### PORTS OF BUCTOUCHE AND COCAIGNE.

Mr. GIROUARD (Kent) enquired, Whether it is the intention of the Government to dredge, during the course of next summer, the ports of Buctouche and Cocaigne, in the Province of New Brunswick?

Mr. LANGEVIN. During the season dredges will be used at the particular spot where public interests require them. I cannot say at present where they will be used. The hon. member must have seen that an amount has been set aside in the Estimates for the Kent harbor.

#### IMPORTATION OF MILITARY STORES.

Mr. KIRKPATRICK enquired, Whether the Commandant of the Royal Military College has authority to import military stores for the use of the College, and whether any military stores which could have been manufactured in Canada have lately been imported by the Commandant of the Royal Military College or by the Militia Department; and if so, were they imported for the use of the College, or for the Militia generally, and what was the reason for so doing?

Mr. CARON. The Commandant of the Royal Military College has authority to import military stores for the use of the College. Some stores have been imported by the Department of Militia, which might have been manufactured in Canada, had there been in Canada the required samples. These stores will, hereafter, be used as samples for the manufacture of the same articles in Canada.

#### SALARIES OF CONDUCTORS ON THE INTERCOLONIAL.

Mr. LANDRY enquired, Whether it is the intention of the Government to grant to conductors on Intercolonial trains in the Province of Quebec a salary equal to that of the conductors in the Provinces of New Brunswick and Nova Scotia?

Mr. OUIMET.

Mr. POPE (Compton). The train conductors on the Intercolonial Railway are paid at three different rates. Those who have had very long experience get \$60 a month; those who have had less experience, but still considerable, \$2 a day; and junior conductors, \$1.50 per day. That system is universal over the whole railway.

#### THE PILGRIMS LIGHTHOUSE.

Mr. LANDRY enquired, Whether the Government had appointed a keeper to the Pilgrims lighthouse; and, if so, who is he?

Mr. POPE (Queen's.) A new appointment was made in January— that of David De-jardins. Charges were preferred against the former keeper, an investigation took place, and it justified his dismissal.

#### THE GROSSE ISLE SEMAPHORE.

Mr. LANDRY enquired, Whether it is the intention of the Government to construct a semaphore at Grosse Isle, with a connection at Montmagny?

Mr. LANGEVIN. It is not the intention of the Government to construct that semaphore this year.

#### LIGHTSHIP AT ST. THOMAS.

Mr. LANDRY enquired, Whether it is the intention of the Government to take into consideration the necessity of placing a lightship on the shoals at St. Thomas?

Mr. POPE (Queen's). It is not the intention of the Government during the present year.

#### INTERCOLONIAL RAILWAY.

Mr. LANDRY enquired, Whether it is the intention of the Government to place under the immediate control of a man speaking both English and French that part of the Intercolonial Railway which is entirely in the Province of Quebec, and to put that Province on the same footing as New Brunswick and Nova Scotia with regard to the general management of the road?

Mr. LANGEVIN. The matter having been represented to the Railway Department last year, a special officer was appointed as Assistant-Superintendent over that part of the road from Rivière du Loup, or lower down, to Lévis, and that officer, although bearing an English name (Mr. McDonald), is admitted to be by all who know him a French-speaking man. He is at present fulfilling the duties of assistant, and from what I know of the department I am convinced that, when the time comes, Mr. McDonald's services will not be ignored.

#### SUPERINTENDENT ON THE INTERCOLONIAL.

Mr. LANDRY enquired, Whether it is the intention of the Government to render justice to the Province of Quebec by appointing to that part of the Intercolonial Railway which is in that Province a Superintendent perfectly familiar with the French and English languages?

Mr. LANGEVIN. As the Government has already two officers, a Superintendent who speaks English, and who, I am convinced, understands French a little, and an assistant who understands both languages and speaks them well, it would not be possible at present to appoint an officer holding the same rank; but the time will come, I have no doubt, when the representation made to-day will be taken into consideration.

#### THE INTERCOLONIAL BRANCH.

Mr. LANDRY enquired, Whether the Government had been informed of an expression of public opinion at a meet-

ing of the leading representatives of trade and commerce at Quebec on the 11th instant, and whether it had the intention of replying to it by building at a date not far distant a branch of the Intercolonial from St. Charles to St. Joseph de Lévis?

Mr. LANGEVIN. The Government has been informed of an expression of public opinion at a meeting of the leading representatives of trade and commerce at Quebec on the 11th instant. As to the second part of the question, the hon. member has already been answered, and he will please excuse me from repeating that answer.

#### CANADIAN ASIATIC CABLE COMMUNICATION.

The following Bill was read the third time and passed:—

Bill (No. 96) to establish a Marine Telegraph between the Pacific Coast of Canada and Asia.—(Mr. Langevin.)

#### THE VAGRANT ACT.

Mr. McDONALD (Pictou) moved the second reading of the Bill (No. 90) to remove doubts as to the power to imprison with hard labor under the Act 32 and 33 Victoria, Chap. twenty-eight and the Act 37 Victoria, Chap. forty-three respecting Vagrants. He said: This is simply a short amendment required by the omission in an amendment to the Vagrant Act to insert the words "with or without hard labor" after the words relating to the time of imprisonment, and one of the Judges, in administering the Act, held that without these words hard labor could not be imposed.

Bill read the second time, passed through Committee, read the third time and passed.

#### OFFICIAL OATH FOR GOVERNMENT TELEGRAPH EMPLOYÉS.

Mr. McDONALD (Pictou) moved the second reading of the Bill (No. 91) to prescribe an oath to be taken by employés on telegraph lines under the control of the Government.

Mr. ANGLIN. Does the hon. gentleman really think it advisable to multiply those official oaths which have so often been disregarded? Does he think that, when the sense of duty does not impose a sufficient restraint on persons who are entrusted with secrets in the telegraph offices, the taking of an oath will compel them to do so? I think the tendency of modern opinion is that official oaths are essentially objectionable, and that they are, after a time, disregarded.

Mr. McDONALD (Pictou). Custom house oaths have, of course, a peculiar signification. I should be very glad to think that people employed in official capacities would follow the obligation of honor so far as to render the safeguard of an oath or affirmation unnecessary. I fear we cannot come to that conclusion just now. The Bill was introduced at the instance of my hon. friend the Minister of Public Works, in whose charge those public works are. Those telegrams sent in the discharge of his duty, that hon. gentleman thought it advisable and desirable to surround with the safeguards of the law.

Mr. BLAKE. Perhaps the Minister of Justice will state what provisions of the Criminal Law exist with reference to this subject. Is there any provision making it a crime to disclose the contents of telegrams?

Mr. McDONALD (Pictou.) Not that I am aware of.

Mr. BLAKE. My own opinion is that we ought to do whatever is proper to prevent disclosures, and that the utility of the work very much depends—I do not speak of Government messages merely—on its being understood that there is absolute secrecy maintained—as much privacy, in

fact, although you have to use two or three men in telegraphing, as there is in the transmission of a sealed letter. But it does seem to me that the true way to enforce it would be to make some provision in the Criminal Law constituting it an offence in any person who receives knowledge of the contents of a telegram passing through his hands, disclosing them. That might apply to all telegraph employés, and all messages private or public. That would be a much better measure than the hon. gentleman proposes, and one more likely to accomplish his object. I fear, without such a law, we should experience a certain laxity in dealing with the large mass of private telegrams. The hon. gentleman proposes a distinction between private and public telegrams—to say to an operator, you must take an oath not to reveal a Government telegram—or to tell the whole class of operators that the Legislature makes a distinction, and exacts of those who receive Government telegrams, a solemn oath that they will not divulge their contents, while it does not think proper to exact any such oath of those who receive private telegrams. Looking at the whole interests of the country, considering the vast amount of interests represented by telegraphic correspondence, I do not hesitate to say it is of more consequence, from year's end to year's end, that there should be an absolute confidence in the secrecy of this correspondence of the general public, than in that of the Government. The Government can always secure itself by using a cypher and a private code, which the great bulk of private individuals cannot. I am very anxious that everything should be done to preserve secrecy, and I recommend that instead of this Bill, the hon. gentleman should introduce a short Bill, making it a misdemeanor on the part of any employé who, in the discharge of his duty, gets knowledge of the contents of a telegram, making any disclosure on that subject.

Mr. McDONALD. The Bill is not so confined as my hon. friend supposes. It refers to all messages passing over a Government line. So a Government line is completely controlled by the Bill. It refers to all operators on the line, and all messages public or private. There may be a great deal in the observations of the hon. gentleman—that it might be well to extend this protection to private lines. But I doubt whether it should be done hastily. At any rate it is a new question, and I think the House would not be ready hastily to adopt his view, without more consideration. The present Bill can do no harm. It will provide safeguards so far as it extends; and if, after consideration, we find it would be fair and proper to extend it to all other telegraph lines, we can do it early next Session.

Mr. PLUMB. I was very much surprised that the member for Gloucester should have cast a universal slur on that excellent and worthy body of men employed in the telegraph offices. He said those gentlemen were not going to be bound by any oath, that the oath and obligation would gradually become with them less and less imperative, and that, in fact, after they had taken an official oath, they would break it. If this Bill is examined, it will be found the secrecy enjoined by the oath to be taken is not confined to one class of messages, as was stated by the member for West Durham. There is a penalty attached to the breaking of the oath which, in reality, reaches the point urged by the hon. gentleman. If either of those gentlemen had examined the Bill personally, before commencing in such a hurry to urge objections, he would have seen he had no ground whatever for such objections.

Mr. MACDOUGALL. In the general Act respecting telegraphs, in the Consolidated Statutes of Canada, there is a clause that covers the point in respect to private telegrams, providing a penalty for the revelation of their contents. I do not know whether that Act is technically in force in respect to the Dominion. I find this among clauses of the telegraph law which was in force in old Canada, and which

have not been expressly repealed. This provision sufficiently covers the case raised by the member for West Durham, in the old Province of Canada. With regard to the operators on the Government telegraph lines, it does seem to me that if they are excepted from the operation of this clause, some provision should be made to prevent the disclosure of messages passing over those lines. Certainly there is no indignity cast on young men in the telegraph offices, in requiring them to take such an oath, when Ministers of the Crown, themselves, take an oath that they will not disclose the secrets of the Government. I do not see, then, why telegraph officers may not be bound in the same manner to preserve secrecy in the matter of Government telegrams. I certainly think they ought to be so bound. The clause in the Consolidated Statutes to which I referred, thus reads :

"Any operator of a telegraph line, or any person employed by a telegraph company, divulging the contents of a private despatch, shall be guilty of a misdemeanor, and on conviction shall be liable to a fine, not exceeding \$100, or to imprisonment for a period not exceeding three months, or both, in the discretion of the Court before which the conviction is had."

I would recommend my hon. friend to consider the propriety of re-enacting this clause in his Bill, making it applicable to all telegraph lines in the Dominion.

(In the Committee.)

Mr. MACDOUGALL. I suppose, under the general law that applies to telegraphs, Government measures have the right of priority. If this language is, as I supposed it was, large enough to cover that, it is obvious that the words of the Act must apply to all operators in respect to the discharge of their duty to the Government, and there comes the distinction that I venture to state. You are proposing to them that they should take an oath with reference to a particular part of their duty and not with reference to another part.

Mr. McDONALD (Pictou). The language of the oath itself would cover all the duties of the operator.

Mr. BLAKE. But the circumstances under which the oath is taken are specific. It would be better not to have this preamble and to provide that all telegraph operators shall take oaths. We ought not to enlarge the region of promissory oaths. There exists a general Statute, providing for the substitution of formal declarations, instead of oaths. I would very much prefer, if the hon. Minister adheres to a solemn declaration, that it should be simply a statutory declaration and that the consequences of a breach of that solemn declaration should be such as are provided in the Statute.

Mr. McDONALD (Pictou) moved that the Committee report progress. He would look into the matter.

Committee rose and reported.

House resumed.

#### SUPREME COURT JUDGES OF PRINCE EDWARD ISLAND.

Bill (No. 95) to increase the salaries of the Judges of the Supreme Court of the Province of Prince Edward Island—(Mr. McDonald, Pictou)—was read a second time, considered in Committee, read a third time, and passed.

#### INLAND REVENUE ACT AMENDMENT.

Mr. MOUSSEAU moved the second reading of Bill (No. 98) to amend the Inland Revenue Act, 1860. He said: This Bill amends section 83 of the present Act by providing that all tobacco manufactured in Canada shall, before it is offered for sale, be packed in packages as follows, and each package shall be duly stamped :

"(a) Cavendish and all pressed tobacco shall be packed in rectangular boxes, each containing not more than one hundred and ten pounds of tobacco ;

Mr. MACDOUGALL.

"(b) Cut tobacco of all kinds and scrap shall be packed in packages, each containing not more than one pound, but any number of such packages not exceeding together one hundred pounds in weight may be inclosed in an outer case or package, provided each of the lesser packages have been separately stamped ;

"(c) Snuff shall be packed in packages each containing not more than ten pounds ;

"(d) Common Canada twist may be put up in rolls or coils each not exceeding two pounds in weight ; and every such roll or coil shall be secured by cording or otherwise and enclosed in a paper or other band or casing so that a stamp may be securely attached thereto ;

"(e) Cigars shall be packed in rectangular boxes each containing not more than two pounds."

Another of the more important provisions of the Bill is that tobacco imported in packages, other than those above mentioned, shall be bonded in a Customs warehouse—the bond to be for a sum equal to double the amount of Customs duty to which the tobacco is liable. The conditions, are that the duty shall be paid and that the tobacco within a certain time shall be repacked in such packages as those above mentioned and duly stamped, or be defaced or destroyed. "The stamps are to be removed when the packages are emptied, and the stamped packages are not to be retained after the contents have been removed." These are the main provisions of the Bill, and they have been rendered necessary by the serious losses which have occurred to the revenue by abuses with regard to packages and stamps.

Mr. ANGLIN. This Bill seems to me to impose very vexatious and unnecessary burdens upon those engaged in the importation of tobacco. The tobacco trade is as old as Canada, and no such annoying refutations have ever been found necessary before. Why should the importer be required to import his tobacco in packages of a particular size, on penalty of having the packages bonded, opened and repacked, to say nothing of other annoyances? Surely means may be found of exacting the duty without resorting to such troublesome regulations as those.

Mr. MOUSSEAU. I wish to say to the hon. gentleman that all the annoyance of which he speaks will be but small compared with the amounts of which the revenue is defrauded under the existing law. These packages and their designations have been based upon those in use in the United States and other countries.

Mr. GILLMOR. The hon. gentleman should know that tobacco is packed in such a way that it makes a solid mass, and that it will be quite impossible to put it in these packages without tearing it all to pieces.

Sir RICHARD J. CARTWRIGHT. There is no doubt that these regulations will prove a source of serious annoyance to importers of tobacco. This provision reads as follows :—

"All imported manufactured tobacco which is not packed in packages, of the respective kinds mentioned in said sub-sections a, b, c, d, and e, shall be bonded, \* \* \* such tobacco shall, within such limited time and in accordance with such condition as may be fixed by regulation by the Governor in Council, be packed in packages of the respective kinds mentioned in said sub-sections?"

I would like to know if the hon. gentleman, before introducing this measure, consulted with those in the trade who will be more or less affected by this section. I doubt whether the attention of the trade has been called to it.

Mr. MOUSSEAU. I do not see why we should have consulted the trade on that point, because I do not see in what particular this is going to injure the trade. The inconvenience is not so great as the hon. gentleman imagines, and it is far less than the inconvenience resulting to this country by being defrauded and robbed of its revenue as we have been for the last two or three years. It was necessary to have such law in order to prevent smuggling. As I said when I first explained the law, it was becoming a frequent practice, after the duties had been paid, to empty the boxes and fill them again with smuggled tobacco. Cases were discovered where the same boxes had been filled two

or three times with smuggled tobacco. That was the reason which induced the Government to present this measure.

Mr. ANGLIN. There can be no objection to any provision which is necessary for the purpose of preventing the boxes being fraudulently, though it may require the boxes to be absolutely destroyed, or to be so opened as to destroy the seal or stamp. Anyone who has seen a package of tobacco from the United States knows that it is impossible to re-pack it according to this system. If the contents of the box weigh five or ten pounds more than the quantity contained in the boxes here, there is no way by which that larger quantity can be put into these smaller boxes. It seems to me this is a very unnecessary and harassing regulation to the importers in this country. Goodness knows they are hardly enough dealt with already by the existing Tariff. As the law stands at present, if a man enters a box of tobacco at less than its weight he subjects himself to heavy penalties—the whole may be seized. The present regulation is one of those various products hatched in the Inland Revenue Office, which trouble this House and the country from year to year, which harass, worry and annoy the importers of the country. That seems to me to be the great object of this department.

Bill read the second time.

House in Committee on said Bill.

On clause 2,

Mr. MILLS. The hon. gentleman has not yet told us how this tobacco is to be repacked. When it is packed in a box it becomes quite solid, it would be impossible to unpack it, and pack it in another box of a different size. He might as well prohibit the importation of tobacco altogether, as to undertake to subject it to such a regulation as that now imposed.

Mr. DOULL. I think this Bill is very objectionable in some particulars, and I would like the hon. Minister, if possible, to defer this for another year in order that the manufacturers may have an opportunity of being consulted. In my county there are two or three tobacco manufacturers who have machinery for putting up tobacco in certain packages, and it would subject them to serious loss if they were required to put up their packages as prescribed by this Bill. I think it is only fair to the manufacturers that they should become acquainted with the changes which it is proposed to make in law, because it will certainly subject them to serious loss. If the hon. Minister insists upon pressing the Bill, I shall have to move some amendments.

Mr. PATTERSON (Essex). I think the manufacturer<sup>s</sup> should be given a little time to understand the Bill. I have had communications from manufacturers in my county, and they object to some clauses in the measure. I am disposed to support the view of the hon. member for Pictou (Mr. Doull), and ask the Minister to allow the Bill to stand for a year so that manufacturers may become familiar with the changes proposed. Its terms will fall very heavily not only on importers but on Canadian manufacturers. The law has proved very onerous to manufacturers owing to the interpretation placed on the clause respecting Canadian tobacco. Instead of paying 4 cents duty per lb., a manufacturer manufacturing Canadian tobacco in the same way as the common roll and twist has, according to a ruling of the late Minister of Inland Revenue, been called upon to pay 14 cents duty. I understand that the question was submitted to the Minister of Justice, and that department, after a lapse of twelve months, decided that the ruling of the Minister of Inland Revenue was incorrect. A statement was made in the House the other night as to the revenue derived from Canadian tobacco, and the amount stated was perfectly ludicrous. To my personal knowledge three times that amount would be raised in Essex if the matter was put in proper shape. It is evident

that in Lower Canada the law has not been enforced, and we are losing ten times the revenue collected during the last twelve months. I have received a letter from a manufacturer in Montreal, who knows that I represent a county in which tobacco is grown, and who has had dealings with some of the growers in Essex whose only market is Montreal. They have to send their product 600 or 700 miles, because the regulations of the department prevent Canadian tobacco from being manufactured in the same factory as imported leaf. This gentleman, Mr. Porcheron, writing to me respecting the debate that occurred on this subject, says :

“ Although Sir Leonard Tilley says the law was made to suit every one's interest, concerning home grown tobacco, I beg to differ with him, and give him ample proofs to the contrary. There is now lying in warehouses, Montreal, about fifty thousand pounds of Canadian tobacco, grown in in Essex County, which, under the present system, cannot be sold at any price, because the moment the tobacco was shipped from the grower it was subjected to a duty of 14 cents, while growers in the Province of Quebec are allowed to manufacture rolls and twist at 4 cents, and sell it directly to consumers for less money than the duty called for by the Government, which is 14 cents, when manufactured by a specially licensed manufacturer, and 20 cents when manufactured by a manufacturer of foreign tobaccos. Now, Sir, if you wish to know what a manufacturer of Canadian tobacco is, and what is his way of doing business, I shall tell you : these manufacturers buy their tobacco in the Province of Quebec, by one, two, or three hundred pounds, and manufacture it to retail again in competition with the grower. Of course, they must produce the same half cured tobacco, so as to make it cheap, and the Ontario tobacco is left aside. If the manufacturer of foreign tobaccos was allowed the privilege to make rolls and twist, for my part, I could dispose of 50,000 pounds a year, in a market which cannot be reached by small manufacturers. I cannot afford to keep two separate factories in order to comply with the present law, even if the duty was lowered to 4 cents. Hoping, Sir, that you will bring these facts before the Government, and try to get us the privilege to manufacture rolls and twist at 4 cents.”

There is no tobacco manufactory now in Quebec for the manufacture of Canadian tobacco ; hon. gentlemen have closed it up owing to the ruling of the late Minister of Inland Revenue, by which he decided that, although farmers might make rolls and twists on paying a duty of 4 cents, and sell them to grocers all over Quebec, yet when the tobacco was taken to a factory it immediately became subject to 14 cents per pound duty. I ask the President of the Council if it has not been decided by the Department of Justice that that ruling is incorrect.

Mr. MOUSSEAU. Yes.

Mr. PATTERSON. That fact is not within the knowledge of the public. I hope the fact will be made generally known, so as to encourage the growers of tobacco and afford the means of re-opening the only tobacco factory for the manufacture of the native article which existed in the Dominion, and which was closed in consequence of the late Minister's ruling. Mr. Porcheron wrote me again as follows :—

“ I think your views are correct as regards the effect of a four cent duty on home grown tobacco, but we want a law that would compel every grower to account for the quantity of tobacco grown. With a lower duty on all grades it would induce farmers to grow every kind of tobacco now required by the manufacturer, it would do away with illicit manufacturers, and, as you say, the revenue would not suffer. If a change is to take place, inspectors of tobacco would be a great benefit to growers as well as manufacturers. The inspection system in the United States is perfect, and gives such facilities to sell their tobaccos that, in fact, it would be impossible for us to buy if they were to do away with it. The inspector needs to have very little experience ; the work consists of taking out samples from hogsheads at different parts, to tie them together and to seal them ; these samples can be sent to tobacco manufacturers or brokers, and the tobacco disposed of at very little cost, while now, as the law stands, we have to take the seller's word that the tobacco is all right. Government warehouses should be opened in every central point where tobacco is grown. These warehouses would be the market to buy home grown tobacco ; the cost would be very small, if any, as the warehouse charges and inspection are generally charged to the buyer. Perhaps you are not aware of the quality of tobacco which is grown in this Province. I know one farmer who can get 35 cents per pound for rolls and twists, and he has 6,000 pounds of tobacco. I have seen the tobacco but could not tell the difference from Virginia tobacco. If the tobacco question was looked into thoroughly, I think we could start the finest industry in the Dominion. We could make enough for our own consumption and even

enough to export. I have seen some Connecticut seed grown in Canada, suitable for cigar wrappers which would bring 40 cents to 50 cents if properly cured."

What I wish to urge on the Government, is that the manufacturers of the imported leaf should be allowed to manufacture Canada twist in their factories, and only pay the four cents duty charged on the grower who manufactures it, and that they should be allowed to mix it with the imported leaf by paying the fourteen cents duty. The finest quality of tobacco can be grown in the Lake Erie counties, and we have tobacco factories which are debarred from using it, because they have to pay twenty cents a pound of excise duty. Under these circumstances, our farmers are forced to seek the Montreal market, and when they pay the freight and the duty, they have very little left. One Essex warehousekeeper has 100,000 pounds of tobacco warehoused in Montreal unsaleable. The clause in the Bill relating to cigarettes, will have the effect of imposing on them the same duty as is imposed on cigars. On this point, I may read the following letter from a manufacturer of the imported leaf:—

"I have been informed that it is proposed to increase the excise duty on cigarettes to 40 cents per pound.

"The Inland Revenue Act for 1880 required that all cut tobacco should be put up in packages of one pound or less. We cheerfully complied with this requirement, although it entailed a large additional expense in the manufacture of our goods.

"The difference between putting up cut tobacco in pails and in twentieths of a pound (the popular 5 cent package) is fully 10 cents per pound.

"We now propose to further sub-divide the twentieth of a pound package by making it into twenty cigarettes. This will still further increase the cost of manufacturing.

"It was not thought necessary to increase the excise duty when cut tobacco was put up in twentieths of a pound packages. Why, then, should it be deemed necessary to increase the duty when, by further sub-dividing this package, the cost of manufacturing is increased. The tobacco is the same, the stamp used is of the same denomination. It cannot be claimed that there is any additional expense to the Government in this manufacture.

"But it is claimed that cigarettes should be classed with cigars and pay the same excise. A moment's consideration will prove the falsity of this reasoning. Cigarettes are made from 'cut tobacco,' cigars from 'leaf.' Cigarettes are sold by the package, usually ten or twenty in each; cigars are retailed singly, an ordinary cigar selling for the same as ten cigarettes. The retail price of cigarettes being so well established, viz. ten for ten cents or one cent each, it will be difficult, nay impossible, to increase the price. The margins now, to the wholesale and retail trade are so small that the manufacturer cannot increase his price, hence if any advance is made in the excise it will fall entirely on the manufacturer. The manufacturer is so taxed now, that he cannot stand more and continue his business. It is true that in the United States cigarettes are classed with cigars, but they by no means pay the same excise duty, cigars paying \$6 per 1,000, and cigarettes \$1.75 per 1,000.

"By a recent decision in one of the higher Courts of the United States, cigarettes were decided to be cut tobacco. It is proposed among manufacturers to act upon the strength of this decision in moving for a decrease in the excise to correspond to cut tobacco."

I would ask the attention of the hon. Minister to this letter. The writer is a large manufacturer who has recently established a manufactory at Windsor for the manufacture of tobacco on a very large scale. I would be sorry any action on the part of the Inland Revenue Department would cause this gentleman to close up his factory and go back to Detroit. I think his argument as regards the duty on cigarettes being made the same as on cigars is very forcible. I would ask the hon. Minister not to press this Bill through until further information is had.

Mr. MOUSSEAU. I must compliment the hon. member for Essex on the manner in which he always attends to the interests of his constituents, and to that great industry the Canadian grown tobacco. The hon. gentleman brought up again the question he raised some days ago, as to the inferiority of the position of Ontario grown tobacco compared with that of Quebec. According to the construction of the law, the hon. gentleman must see they are both on a perfectly equal footing. Under sub-section 10 of section 35 of the law of 1880, the manufacturer may use that tobacco on payment of 4 cents excise. My hon. friend also seems to think that, in Lower Canada, no

Mr. PATTERSON (Essex).

duty is paid, that the law was evaded. There has been a wonderful change in that respect in our Province. A statement made from the records of the Inland Revenue Department shows that, under the law of 1878, when the duty was 10 cents, 1,420 lbs. paid duty; under the law of 1879-80, which imposes but 4 cents, per pound, 43,744 lbs. were grown, yielding a revenue of \$1,749; and under the new provisions of 1880, and more stringent enforcement of the law, in seven months, 191,321 lbs. paid duty, yielding \$7,652, equivalent, at same ratio of increase, to 327,000 lbs. and \$13,120 duty for the year. In deference to the opinions expressed on both sides, I will take into consideration their objections and I move that the Committee, in meantime, report progress.

Mr. BOURBEAU. Mr. Speaker, I wish to call the particular attention of the hon. President of the Council to the fact that farmers do not enjoy sufficient advantages to make them take out licenses to grow tobacco for the trade. The inspector, who has charge of the county, which I have the honor of representing, resides in Montreal. As I have already had the opportunity of stating, the counties which I represent are generally unlucky with regard to the patronage bestowed on them by the Government, and in this case, as well as in previous ones, we unfortunately have to state that our inspector resides in Montreal; now, it is somewhat difficult for the farmer of our county to procure licenses enabling them to grow tobacco for the trade, at 12½ miles distance. I mentioned the fact a few days ago to the hon. Minister of Inland Revenue, when he told me it was the easiest thing for the farmers to write to Montreal for a license, but as a large number of farmers do not possess sufficient education to write a letter, I think that the suggestion of the hon. Minister will not suit them. I would therefore call the attention of the hon. President of the Council, who represents here the hon. Minister of Inland Revenue, to the fact that there should be, in every parish where Canadian tobacco is grown, an official to give these licenses and to sell the stamps, which are to be affixed to tobacco going into the market. I would also call the attention of the hon. Minister to the fact that it was understood, last year, that the licenses issued to traders buying the tobacco in leaf to hand it over to manufacturers, should be issued gratuitously. But contrary to that understanding, the tobacco inspector who visited our county demanded the sum of \$50 to grant those licenses, which the law has styled "brokers' licenses." We know that if we have to pay \$50 to procure such licenses, the trader will refuse to take one out, as this trade does not bring in much to him. These licenses should, therefore, be issued to the traders gratuitously. Nevertheless, notwithstanding the understanding come to last year, the inspector who went through the County of Arthabaska, exacted \$50 for issuing such licenses. I think there is a mistake here, and I hope the hon. Minister will give his particular attention to the fact, and that he will cause instructions to be given to inspectors so that in the future they will grant these licenses gratuitously, in the same way as they are granted to farmers. I also hope that farmers will be allowed to take out licenses in the parishes where they reside.

Committee reported.

#### FIRST AND SECOND READINGS.

The following Bill from the Senate was read the first and second time:—

To amend the Indian Act of 1880.—(Sir John A. Macdonald.)

#### ACTS RESPECTING GOVERNMENT RAILWAYS.

Mr. McDONALD (Pictou) moved the second reading of Bill (No. 96) An Act to amend and consolidate the laws relating to Government Railways.—(From the Senate.)

He said the Bill is designed to consolidate the several laws relating to the Government Railways, which have been collected and compared. There are some new sections, though not of any great importance, including one regulating the mode of obtaining lands.

Mr. BLAKE. Will the hon. gentleman explain why it is thought necessary to amend and consolidate the laws as to Government railways, particularly with reference to questions of construction, just at the time when we are ceasing to have any Government railways?

Mr. McDONALD (Pictou). We still own a considerable amount of railways.

Mr. BLAKE. I am not speaking as to the working, but as to the construction of Government railways.

Mr. McDONALD (Pictou). The law is still in existence, and it was thought better to include all those sections which may be applicable as to material and otherwise, to the roads already existing, in one. At any rate, in this progressive age and country we cannot tell how soon the Government may have railroads again.

(In the Committee)

On clause 11,

Mr. MILLS. We have been legislating in this way for a long time, but in my view it has all been wrong. I think the manner in which the title to such property shall be registered, or how it shall be conveyed to the Government by the railway company, should be in conformity with the local law. In my opinion all the provisions we have had for many years upon the subject of the expropriation of public lands are all *ultra vires*.

Mr. McDONALD. This question has already been raised, and perhaps with some force. But my opinion is, that in cases where the railway itself is within the competence of this Parliament all the consequences of that fact follow as a matter of necessity, and by constitutional right all the powers necessary to carry out the main intent rests with this Parliament. For instance, take the case of a company where the railway within the Province itself is declared to be for the general benefit of Canada; that gives control of the legislation with reference to that corporation to this Parliament. Surely the power of this Parliament would be incomplete and inoperative if we were not able, as of right, to declare in what form such private rights as were necessarily interfered with should be dealt with. This proposition has been very clearly stated by an eminent Judge of the Supreme Court, and it supports my view, that in all instances where private rights are affected by the general subject of legislation of which this Parliament is competent, the legislation by the Local Legislatures in reference to those private rights must be subordinate to the paramount power of this Parliament.

Mr. MILLS. The hon. gentleman assumes that the power given to the Government by the 91st section of the British North America Act carries with it all the implied powers, even though some of those implied powers may be expressly given in the 92nd section. The opinion of Judge Story was that where power is expressly given to one Legislature it cannot be impliedly claimed under some other power given to another Legislature. When the power is expressly given to the Local Legislature under the power to take property for the use of railways and canals, the hon. gentleman cannot claim to deal with the manner in which that property is to be registered or transferred. You have a right to take property, but you must take it in conformity with the provisions of the local law.

Mr. HADDOW. In my county there are a great number of cattle killed on the track of the Intercolonial Railway, and in most cases this is owing to insufficient fences. A

gentleman who resides on the flat islands about ten miles above Campbellton, last summer lost a valuable mare which swam across the channel and got killed on the track owing to the fence being down. He wrote to Mr. Pottinger, the Superintendent, and Mr. Pottinger replied, stating that the mare was running at large, that she gained access to the track from land not belonging to the owner of the mare, that the law did not require fencing for the protection of any but the owner's property, and that he therefore refused to pay the man's claim. This mare would not have got on the track if it had been properly fenced, and when animals were killed in consequence of the railway being insufficiently fenced, it was but right that the owners should be paid.

Mr. McDONALD (Pictou). Care must be exercised by the owners of cattle. It would never do to make the Government railway or any other railway liable for the consequences of the carelessness or indifference of the owners of property that might be injured. Otherwise it would be very easy for people living along the route, if he wanted a market for a cow or horse, to let it slip on the track at the right time, and his money is made. My hon. friend will see, by subsequent sections, that there is very little to complain of, that the railway company really do not ask for any greater exemption or protection than would any private proprietor. It would not be fair to ask the company to do more than this, to say to every proprietor: "We will give you a good fence all along your property where our line runs through your land; but where it does not, we will not be liable. Where your animals, through your carelessness in not putting up fences which you ought to put up to keep your cattle within your limits, escape at other portions of your property, either at the side lines or the rear of the property, we cannot be held responsible."

Mr. CAMERON (South Huron). Suppose the company's fences are allowed to be down on A's land, and B's animals get on A's land and thence on to the railway track, should not the company be held responsible, even though their fence was in good order through B's property? Now it is the duty of the company or Government to keep that fence up. If they fail in that duty, why should they not be responsible? Or take the case of a piece of ground that is a common, like an island, it is the duty of the Government to fence the railroad track as against that common. Suppose that animals are allowed to run at large, if my animal escapes to the railway track and receives injury, because the company keeps the fence down, should they not be held responsible? It would not be right to exempt them from responsibility. The Ministry ought to make provision for such responsibility.

Mr. McDONALD (Pictou). That proposition of my hon. friend (Mr. Cameron) would, if enacted, leave the railway open to all sorts of claims, and, I think, very improperly. In the case he puts, there appears a hardship; it would look as if the fence being down on the railway property indicated such negligence as should make the company liable. But suppose the railway fence is entirely what it ought to be along a neighbor's land, and he carelessly leaves a gate open letting an animal on the track?

Mr. CAMERON (South Huron). There is then no negligence of the company.

Mr. McDONALD (Pictou). Surely in such a case the railway should not be liable.

Mr. CAMERON. No; there is no negligence. You have provided for that.

Mr. McDONALD. The principle on which the provision is based is this: that the company should not be liable for a defective fence, except where the injury is caused by the railway or the employes themselves. But for anything beyond that, they should not be liable.

Mr. CAMERON. I only say the railway company should be liable where it is guilty of negligence. You provide for the case of leaving a gate open in the next clause.

Mr. McDONALD. The next clause does not; it means the gate of the owner himself. It does not mean the gate of a neighbor. It refers to the carelessness of the owner himself.

Clause agreed to.

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

#### AFTER RECESS.

Mr. WELDON moved that the House resolve itself into Committee on Bill (No. 55) to amend the Acts relating to the New Brunswick Railway Company.

Bill considered in Committee and reported.

Mr. WELDON moved the third reading of the Bill.

Mr. DOMVILLE. I have no desire to take up the time of the House at this stage of the Session, nor have I any wish to prevent the passage of this Bill. It has been argued that I have some object in preventing this Bill from becoming law this Session; but that is not the case. I wish to see the Provinces of Quebec and New Brunswick joined by a railway, but I want that railway to come under such regulations as I believe are necessary for the well being of both Provinces, and in accordance with the spirit of the Consolidated Railway Act of 1879. By the British North America Act of 1867 certain powers are conferred upon the Local Legislatures and certain other powers upon this Parliament, and I find that certain conditions are presented before a Railway Act may be incorporated by Act of the Dominion, namely, that such a railway must join the Provinces, and that it must be in the general interests of Canada. But though, by the preamble of this Bill, it is claimed as a Dominion, yet they only conform to such portion of the Consolidated Railway Act of 1879 as suits their purpose. If that Act is good for one railway it is good for another, and though I have searched I have not been able to find any precedent for a local Railway Act coming to this Parliament, and acquiring powers separate and distinct from the Consolidated Railway Act. In Committee I managed to bring this company under the operation of the general law in regard to tolls, and had I not done so they could have charged such rates as they pleased, for their is no competition now, nor is there likely to be any, and such a monopoly would have been objectionable to the people along the line of the road. I find by a New Brunswick Railway Act that they have the right to expropriated lands, and when the parties whose lands they take want to be settled with, or to get any satisfaction, they cannot come and seek the benefits of the Consolidated Railway Act. I also object because it is perfectly competent for the Provincial Legislature to give them fresh rights. There has been an Act passed chartering the Central Railway of Canada, and that Act gives the company the right to amalgamate with other lines, so that this company could amalgamate with the Central, and pass through the various counties down to that of St. John. It is, of course, for the Government to say whether they will allow a Bill like this to break the established rules of Parliament—allow them, in fact, to take what they choose, and leave what they do not like. I find also in this charter a clause which ought certainly to be struck out, namely, clause 16, which is as follows:—

“And whereas the New Brunswick Land and Lumber Company (limited) incorporated under ‘The Canada Joint Stock Companies’ Act, 1877,’ was formed in order to acquire the land grants of the said New Brunswick railway company, it shall be lawful for the said railway company to take and hold shares as stock in the said New Brunswick Land and Lumber Company (limited); and the resolution of the shareholders of the said

Mr. McDONALD (Pictou).

railway company, passed at a special meeting on the 28th day of October last, to guarantee to the holders thereof the principal of and interest on any bonds executed by the said New Brunswick Land and Lumber Company (limited) as part of the consideration of the lands so acquired and purchased, and the guarantee of the said railway company endorsed on the said bonds in pursuance thereof, are hereby confirmed.”

Consequently under this section they are enabled to become part of another corporation. How far this will extend I cannot tell; I do not find any authority which will allow one corporation to become part of another corporation. So far as I can see, where they have to assume the assets for their own protection they may hold them, but where they come to Parliament and state that they are able of themselves to become part of another corporation, I cannot find any precedent for it. Here are three legislations jumbled up into one—the Dominion legislation by this Parliament, the Canada Joint Stock Company Act, making them a colonization and lumber company, and, thirdly, the Acts of the New Brunswick Legislature giving them certain powers. Anybody seeking to get any satisfaction under this Act must look all round. Therefore, I urge on my hon. friend, and I do not think I am asking too much, to alter the clause so as to make the general provisions of the Consolidated Railway Act apply to this railroad. If this is not to be carried out hereafter, now is the time for the Government to take into serious consideration the question whether they will amend that Act, or whether they will bring this railway under it. If the Government think this road should not come under it, then I have marked my protest. On the other hand, if the Government having passed an Act which is to govern all railways, are going to abrogate their powers, then I have nothing more to say. I will read what the Consolidated Railway Act of Canada says in section 2:

“The said section shall also apply to every railway constructed, or to be constructed, under the authority of any Act passed by the Parliament of Canada, and shall, so far as they are applicable to the undertaking, and unless they are expressly varied or excepted by the special Act, be incorporated with the special Act, from part thereof, and be construed therewith as forming one Act.”

I admit there may be exceptions in special legislation which might be excepted from this. That is all perfectly right. But it was never contemplated that the whole Act should be an exception except such portions of it as the Government wish to apply to New Brunswick. As the leader of the Government has come in since I began my remarks, I will repeat that I want it to be decided whether this railway is to come under the Consolidated Railway Act of 1879 or not. If it is not to come under that Act then he had better repeal it, or allow all railways to come under any Acts they like. But I have done my duty. If anything turns up hereafter, if there is a question of taxation in my county, if I find a neighboring county in which lands have been taken complaining that they cannot come to Parliament for justice, then I have done my duty. I will close by moving in amendment:

That the said Bill be not now read a third time, but that it be referred back to Committee of the Whole House, with instruction to amend the same by adding the following section in place of section 6:

“The Consolidated Railway Act of Canada, 1879, shall apply to the railway company incorporated under this Act, and the Acts passed by the Legislature of New Brunswick incorporating the company, and the Acts inconsistent with the provisions of this section are hereby repealed.”

Mr. COSTIGAN. This is a very important railroad for both the Province of New Brunswick and the Province of Quebec. My constituency and the neighboring constituency, represented by the hon. member for Temiscouata (Mr. Grandbois) are more deeply interested in this road than any other counties. It runs 150 miles in those two counties. It is forty years since this road was projected. It has, so far, been built by our own resources, and we trust now that no obstruction will be made to the passing of this measure. I was much pleased at the conduct of the promoters of this Bill in Committee the other day. They seemed to be dis-

posal to meet the propositions made by those interested in the Bill, in order to make it satisfactory to all parties. I think the Bill, as it stands now, is worthy the support of the members of this House. The people in those two counties have assisted to build the Intercolonial Railway and other Government works; they have paid dollar for dollar with the other people of the Dominion, and now when they are prepared to build this road at their own expense and with their own land, I think it would be unfair for this House to refuse to pass this measure.

Mr. WELDON. The hon. member for King's (Mr. Domville) thinks this Bill is going to destroy this company for ever. It is, however, merely to amend the Act relating to the New Brunswick Railway Company, and his motion, if passed, will repeal the whole Act incorporating this company. This is a very important Bill in the interests of New Brunswick. This road taps a large American territory, and we obtain certain rights and privileges under the charter, and that charter we claim should not be interfered with, unless there is some general principle violated. The hon. gentleman has undertaken to point out that the Consolidated Railway Act should apply to the whole, and he puts forward a reason with regard to the lands. Now, all the lands that have been taken for the railway are subject to the Consolidated Railway Act. Further than that, we proposed in Committee to shorten the present line and take out the curves, and I proposed that that change should come under the Consolidated Railway Act. But where a charter is in existence it would be improper to apply an Act without seeing clearly whether its provisions might not interfere with rights and raise questions perhaps of doubtful legality. But so far as regards the proposal with respect to tolls, I adopted the suggestion of the hon. member for North Simcoe (Mr. McCarthy), and with respect to bridges to be built on the extension of the road, the Consolidated Railway Act will apply. Under these circumstances the House should not pass the amendment interfering with the rights of those persons who, as the hon. member for Victoria (Mr. Costigan) has said, are doing a work which will not only prove a boon to New Brunswick, but will greatly benefit the whole Dominion.

Mr. LANGEVIN. This Bill was considered in the Railway Committee, and the hon. member for King's (Mr. Domville) stated his objections to it fully and forcibly, but failed to convince the Committee. A large majority of the Committee were against his amendment, and therefore the Bill was passed as it now appears before the House. The Bill has, however, since been amended somewhat in the direction of the objection taken by that hon. member, but the main objection is, that the clauses of the General Railway Act of 1879, and the amendments that may be passed this Session, do not apply to a railway which was incorporated by the Local Legislature of New Brunswick. The hon. gentleman wanted the General Railway Act to apply equally to a company incorporated in New Brunswick, and the extension of that company's charter as is now to be given by this Bill. The Committee were opposed to that, and there is a good deal of force in that contention of the promoters of the Bill, that they have certain powers and privileges under the Act of New Brunswick, and that those rights and privileges they wished to preserve intact, in so far as the railway incorporated by the Legislature of New Brunswick is concerned. They have no objection that the General Railway Act shall apply to the extension to Rivière du Loup. A clause to that effect has been inserted in the Bill, as also a clause by which the provisions of the General Railway Act, and the provisions respecting tolls, shall apply to the whole railway. That is one of the most important features, because the tolls are, by the General Railway Act, to be regulated by

the Governor in Council; and such being the case, my hon. friend from King's (Mr. Domville) would do well to content himself with recording his objections to the Bill, and not divide the House.

Mr. DOMVILLE. I do not see any provision in the Bill from which it appears that the Consolidated Railway Act will apply.

Mr. LANGEVIN. The sixth clause.

Mr. DOMVILLE. If the hon. gentleman, as a Minister of the Crown, thinks it would apply, one of my objections is removed.

Mr. BLAKE. The provision as to tolls applies to the whole road.

Mr. DOMVILLE. Another point I would like to ask is, how lands will be taken? Under the New Brunswick Act the company can take all the land they choose.

Mr. WELDON. If we take any new lands, we will take them under the Consolidated Railway Act.

Mr. DOMVILLE. Under these conditions I will withdraw the amendment.

Amendment withdrawn.

Mr. MACDOUGALL. I desire to call the attention of the House to some of the language used in the Act which appears to be unsuitable, because we undertake to repeal an Act of a Local Legislature. We use the word repeal with respect to certain clauses in the local Act, which is superseded by this Act. My impression is that there is something more than sentiment in this case. I deny that this Parliament has authority, or ought to assume authority, to repeal an Act of the Local Legislature when the Act passed has been within their competence. There is something offensive and unsuitable in the language used, and I believe the object can be attained by avoiding the use of words which imply the assumption of the power to repeal a local Act. The third section says: "The fifth section of the Act passed by the Local Legislature of New Brunswick is hereby repealed and the following substituted therefor." That can be accomplished by simply saying that notwithstanding the fifth section the stock of the company shall be so-and-so. In the sixth section the same words are used, and the same object could be secured by using the word superseded. That is not perhaps a parliamentary or legal expression, but it accurately describes what we are doing. As this is the first time under my notice in which Parliament has undertaken directly and explicitly to repeal local Acts, I think it proper to call attention to the language used in the Bill. I do not want to complain of the Bill. It has been very fully and carefully considered by the Railway Committee, and, upon the whole, it is one in the public interest and one which should pass.

Mr. BLAKE. It does not seem to be necessary to do what the hon. gentleman proposes. It is admitted that we have power to do what is proposed, and the simple question is one of technical language. As I understand the law as it stands, we have declared a railway which was up to that moment within the exclusive control of the Provincial Legislature a railway for the general benefit of Canada, and we have taken it within our exclusive legislative control. From that expression "within our exclusive legislative control" it is quite clear that we have absolute power to legislate respecting it; and how that absolute power can exist unless we have power to repeal existing legislative provisions with respect to that corporation which we do not want to continue, I do not see. If "supersede" means something different from "repeal," let us understand distinctly what the difference is. I quite agree with the hon. gentleman that, except in the class of cases in which we deal with Acts of the Local Legislatures

passed before Confederation, but on subjects which come within the Federal Legislature after Confederation, we have not the power of repeal. But dealing with a corporation as to which we now have exclusive legislative power, it follows that we have power to repeal the local Acts touching that corporation as if they were Acts of the Federal Parliament. We have dealt with several companies in this way, among others, the Canada Southern Railway and Northern Railway Companies; we have constantly legislated, regardless of overriding Legislatures; and if we have the power which we have assumed, we may as well repeal.

Mr. MACDOUGALL. Will the hon. gentleman say that we used the word "repeal" with reference to these local Acts?

Mr. BLAKE. I do not know what word we used, but I know what we did.

Mr. MACDOUGALL. I should like very much to make a motion, but if the Minister of Justice and the other law authorities in the House think there is nothing in the objection, I will not press it further.

Mr. BOULTBEE. One of the hon. members stated that in clause 16, there is power given to this company to hold shares in some land company, which desires to purchase some lands which this railway company has acquired. It seems to me that we have not before granted the power to one company to hold shares in another, as I think it would have the effect of giving this company a sort of double bonding power, which might become injurious.

Bill read the third time and passed.

### THIRD READINGS.

The following Bills were severally read the third time and passed:

Bill (No. 85) to incorporate the British and Colonial Insurance Company (from the Senate)—(Mr. Beaty.)

Bill (No. 72) to incorporate the European, American and Canadian Cable Company (Limited) (from the Senate)—(Mr. Currier.)

Bill (No. 42) to amend the Act incorporating "The International Railway Company.—(Mr. Brooks.)

Bill (No. 74) to incorporate "The Napierville Junction Railway and Quarry Company" (from the Senate)—(Mr. Coursol.)

### GOVERNMENT RAILWAYS.

House resolved itself into Committee for the further consideration of Bill 96—To amend and consolidate the laws relating to Government Railways.—(Mr. McDonald, Pictou).

(In the Committee.)

Mr. McDONALD (Pictou). Sub-section 29, Clause 80, is new, it provides that any person refusing to produce his ticket or pay his fare, when requested to do so by the conductor, shall forfeit \$20, and in conviction shall be imprisoned in the common jail for a period not exceeding 30 days.

Mr. BLAKE. Is this a general law?

Mr. McDONALD. No; it is a new proposal.

Mr. BLAKE. Why should we make that a crime on a Government railway which is not a crime on a private railway?

Mr. McDONALD. It is a fraud if persons with no money to pay their fare go on a Government or any other train, for which they should be punished.

Mr. BLAKE. My main proposition is, that the Criminal Law ought to be general in its application, and that if it is good for the Government railways, it is good for all the railways, and therefore we ought to make it general.

Mr. BLAKE.

Mr. McDONALD. I cannot see the force of the hon. gentleman's reasoning. We are dealing with public property, and say that any person attempting fraud in regard to it, should be punished in a certain way. That proposition seems consistent with what is proper and right, irrespective of the way in which private persons may think proper to deal with their own property and rights. I do not see why the managers of public property should not insist upon some such clause to guard the public interests.

Mr. MILLS. If the Government enter upon a commercial pursuit, like the running of a railway, there is no more reason why the non-payment of a fare to it should be made a criminal offence, than the non-payment of a private company. You might make the same regulations with regard to a ferry boat or any other conveyance. It is not the particular ownership or control of a conveyance that should settle the penalty, but the nature of the act itself. One member of a family might have the tickets of all the rest, and his failure or refusal to produce them might be taken advantage of by a disagreeable conductor to subject them all to fine or imprisonment, under the proposed regulation. The 59th section is open to exactly the same objection. It is proposed to fine a person \$-0 for walking upon a Government railway track, though no such regulation exist with regard to any other railway. There is no more impropriety in walking upon a track owned by the Government than on one owned by private parties. It seems to me this is an extraordinary provision to insert in this Bill; if it should appear anywhere it should be in the General Railway Act.

Mr. JONES. I think that such a clause would be liable to operate harshly in this country. It would be entirely different in England where the trains are fenced off and where no one is allowed upon the platform without a ticket.

Mr. McDONALD. The clause is not, of course, an essential one, and, with the consent of the House, I have no objection to striking it out.

In answer to Mr. MILLS,

Mr. McDONALD. I do not think the 59th clause will operate harshly, because it is better to fine a man for walking on a railway than that he should be killed or maimed.

Mr. MILLS. Why should the clause apply to Government railways more than to others?

Sir JOHN A. MACDONALD. If the provision is a good one that is no reason why it should be objected to here.

Clause agreed to.

On clause 107,

Mr. BLAKE. If it is within our legislative competence to declare that the money in the hands of this officer is not subject to attachment, execution, or garnishee, it necessarily follows that the Judge will not, if we make that law, make an order for its garnishment, etc., and it seems to be surplusage.

Mr. McDONALD. The Judges do it now. They see there is no law for this garnishee, and therefore the order is made.

Mr. BLAKE. If we have power to make the first part of the clause, it renders the second part unnecessary. The latter part ought to be struck out, and I am not sure but the former part too.

Mr. McDONALD. It is merely directory.

On clause 110,

In answer to Mr. MILLS,

Mr. McDONALD. This provision means any Court having jurisdiction.

Mr. MILLS. You are undertaking to provide for procedure in Court. I do not see why these clauses should be here at all.

Mr. McDONALD. If we have legislative competence to enact the first part of the clause, we surely have power to direct in what mode that law shall be carried into effect.

Mr. MILLS. If the hon. gentleman proposes to use the Courts for the administration of the laws of Canada, he might do the same thing with regard to bills and notes.

Mr. McDONALD. The clause says the Judge who shall be called upon to act, is a Judge having jurisdiction in the matter, so that if my hon. friend be right that the Local Legislatures have not jurisdiction, then the application would *ex necessitate* be to the Court of Exchequer.

Mr. BLAKE. That does not touch the point, because the local Courts have jurisdiction as a rule, to execute the laws of Canada, and we establish our own Courts only when we suppose that our laws are not sufficiently executed by the local Courts. The administration of justice and the procedure in civil cases are under the control of the Local Legislatures, and you intend to execute this law by means of a local Court, the procedure of which is under the control of the Local Legislature, and you must leave the procedure in control of that Legislature which creates and carries on the Court, else we find one set of procedure in cases which come to this Parliament, and another set of procedure in other cases. It seems to me that all the civil suits which are brought by any Court in any Province must be brought in accordance with the procedure in these Courts which are of local creation.

Mr. McDONALD. The objection urged by my hon. friend cannot prevail. Assuming, as I do, that the position of the hon. leader of the Opposition is sound, it is still within the terms of the clause. Assuming that the hon. member for Bothwell (Mr. Mills) is right, still it is within the terms of the clause, because in any case the Judge having jurisdiction under the Local Legislature Acts. If the Exchequer Judge only has jurisdiction he acts; so that the terms of the clause meet the objection in every way.

On clause 111,

Mr. BLAKE. I think this is open to the objection I made, unless you intend to confine these actions to Courts created by the Parliament of Canada. It is not intended, I am sure, to prevent actions from being brought in all the places where actions may be brought in the local Courts. It must be intended to permit these actions to be brought there or else there is denial of justice. Being brought in the local Courts, the procedure must be regulated by the Local Legislatures.

Mr. McDONALD. In order that I may look into this, we will allow this and the five following clauses to stand.

Committee reported.

#### MILITIA AND DEFENCE.

Bill (No. 99) further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada—(Mr. Caron)—was read the second time, considered in Committee, read the third time and passed.

#### SUPPLY—CONCURRENCE.

House further considered resolutions reported from Committee of Supply.

On resolution 150 (March 10),

Salaries and Disbursements of Fishery Overseers and Wardens.....	\$92,800 00
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Sir RICHARD J. CARTWRIGHT asked for an explanation respecting the close season for lobsters.

Mr. POPE (Queen's). The question of extending the season for fishing lobsters has been raised by the hon. member for Yarmouth (Mr. Killam.) During the last two years the lobster establishments have very largely increased, and there is consequently danger that the large area of ground will be over-fished and the fishery destroyed. I have endeavored, in the regulations prepared by the Department of Fisheries, to meet the views and interests of those engaged in the fisheries, and they were adopted after I had consulted very nearly all hon. members from the Maritime Provinces representing the districts where lobsters are caught. The hon. member for Yarmouth spoke to me to-day on the subject, and asked that the fishermen be allowed to take them on the south side of Nova Scotia at the same time as they were allowed on the north shore of New Brunswick and the coast of Prince Edward Island. I do not think that is generally wanted. I do not think it would be fair to the fishermen in the Gulf, on the north shore of New Brunswick and the coast of Prince Edward Island, because we know that very often the ice, particularly in spring, lodges on the shore and lobsters are caught in the ice. Until the ice moves out lobsters will not move into shallow water. It is often the last week of May or first week in June before the ice leaves those shores and lobsters can be caught, whereas on other coasts they can be caught in April. The fishermen can fish very much earlier on the south side of Nova Scotia, than on the south side of New Brunswick, the coast of Prince Edward Island, or the eastern coast of Cape Breton. The regulations were such last year, that they could fish inside the Gut of Canso until the 10th of August, whereas, on the outside, about the shores of Nova Scotia, they were obliged to stop on the 1st of August. Many of the men largely engaged in this business, who first complained of the Order in Council, were the loudest afterwards in approval of it. This description of fishery is so important in Prince Edward Island, that the lobster exports of that small Province last year amounted to about \$750,000, and there are about forty now establishments now being erected there. There is no disposition on the part of the Government to fix any rules or regulations which might bear hardly on the fishermen; but it is absolutely necessary, in their own interests, that there should be some restrictions, so that this industry should not be destroyed. This matter should be fully considered; and as it is my desire, as far as possible, to meet the wishes of hon. gentlemen on both sides who are interested in this business, I shall be glad to hear their views and suggestions. If it is found to be in the general interest that the Order-in-Council should be amended and the time changed, there is no reason why that should not be done.

Mr. ROBERTSON (Shelburne). I am glad to hear the hon. Minister express his views in the way he has done. Last year I sent a large number of petitions to the department from the fishermen interested in this industry, asking for certain changes in the close season. They contend that they are really only permitted to fish about two months and a half in the year. On the south shore of Nova Scotia they did very little fishing before the 20th of April or the 1st of May, and after the 1st or 15th of July the lobster becomes soft shelled and the catch is very small indeed. I know that, owing to the condition of the markets abroad, many of the packers of lobsters find it difficult to carry on their business profitably. Last year the hon. Minister extended the time of fishing from the 1st to the 10th of August, and many of the packers made arrangements to fish and pack only until the 1st of August. I should like to ask the hon. gentleman if he can state positively whether the ten days' extension will be given this year.

Mr. POPE. I regret that I cannot give a positive answer to the hon. member. A great deal will depend on the mem-

bers themselves who represent these interests. Last season those engaged in the business were asked to get together, and decide what they wanted, and the unanimous decision of the packers appears to be that they did not want to be stopped in the middle of the season. Their principal objection was that if they were stopped in midsummer their men would become scattered so that they could not get them back again, and their season's fishing would be lost. They, therefore, asked, rather than that the close season should remain as it was, that it should be from the beginning of July to the middle of August.

Mr. FLYNN. Regulations which will suit certain districts will not suit others. In some places the fishermen cannot begin until the first of May, and, therefore, they have only May, June and July. I think it would be more satisfactory if they were allowed to fish in May, June, September and October; they would then have fishing for four months and a close season of eight months. The fishermen have to go to great expense in fitting out for lobster fishing, and while they are engaged in it they cannot engage in other fishing. Therefore it is difficult for them to make a living for themselves and their families if they are allowed to fish only three months out of the twelve. There are two interests to be considered in this matter—the interests of the fishermen and the interests of the packers. It may be to the interest of the lobster packers that there should be a close season; but I contend that the interests of the packers should not influence the Government in the matter. Their object should be to have such a close season as will prevent the destruction of that fishery, and promote the interests of the fishermen. By giving the fishermen the months of May and June in the spring, and the months of September and October in the fall, that would allow eight months for a close season which would be quite enough to protect the lobsters.

Mr. OGDEN. I do not exactly understand the nature of this discussion, as I was not in my seat when it began. As near as I can understand it, certain hon. gentlemen want to extend the time for lobster fishing. I cannot see why they should ask for this extension when the interests of the packers and fishermen are so closely identified that you cannot separate them. There is a great deal of difference in the way of preserving fish and lobsters. The former can be cured with salt, dried in the sun, or smoked, or in some other way preserved for a length of time and then taken to market, whereas the lobster must, within a few hours from the time it is taken from the sea, be boiled and canned. If there are no canners to take this valuable shell-fish off the fishermen's hands, there is no sale for the article; consequently, the fishermen and the packers must work together, and I have yet to hear of one packer who is anxious to have the time for fishing extended one day. Last year, the hon. Minister of Marine and Fisheries saw fit to extend the time ten days, making the close season ten days less than it was the previous year; yet I do not know of a single packer on the coast of Nova Scotia who took advantage of those ten days. They all promptly closed operations on the 10th August. The extension was not asked for by the packers of Nova Scotia, and I think was only taken advantage of by a few packers in Prince Edward Island. From what little I know of the business, I know it was never in so depressed a state as at present. I have in my possession letters from packers in London who have gone there from New Brunswick, saying that this year is going to be the hardest year they ever experienced; they are only sorry they have to pack during the whole season. If the packers cannot sell their fish, it is of no use for the fishermen to catch them. I have had communication with nearly every packer in Nova Scotia and many in Prince Edward Island, and I have yet to learn of one who will say he wants an extension of time. For my part, I would be perfectly willing there should be no restriction, but I know that all along the

Mr. POPE (Queen's).

coast of Nova Scotia, where we have been packing from ten to fifteen years, the lobsters have become scarce in numbers and diminished in size, so that the cost of packing there is nearly double that in Prince Edward Island where some forty establishments have been started this year. These establishments propose doing a flourishing business, and may, perhaps, pack and sell their goods at a profit, because the cost of production is one-half there what it is in Nova Scotia, where the fishery, owing to want of protection, has become thoroughly exhausted. It matters but little to me whether you give a close season or not. I am a packer, yet I represent a fishing constituency, and I believe that every step I have taken in this House to advocate a close season, I have taken in the interests of the fishermen. At three different places where I do business, I have erected valuable factories, with valuable machinery, and to remove that machinery to some other place would render it almost worthless. If we continue to exhaust the fish supply in those localities the business will leave them, and the men who depend on that industry will have to leave also. It is to my interest and the interest of our people that this valuable industry should be perpetuated. In order to do that, we must have a close season that will protect the fisheries. I know that the steps the hon. Minister of Marine has taken since he took charge of the department have been in the interests of the fishermen, the packers and the country at large. I hope no change will be made. If you rescind the Order in Council which to-day regulates the lobster fishery interest, in less than three years you will not have in the Provinces of Nova Scotia, New Brunswick and Prince Edward Island a lobster to protect, and there will be no necessity to legislate on this matter at all. I think the present legislation is about right. Hon. gentlemen who ask to have the time changed cannot thoroughly understand the question. I do not pretend to say that I am right and everybody wrong, but I have had twenty-five years experience in the matter and ought to know something about it now; but whether I do or not, everything I have said or done has always been in the interests of my constituents and of the country. I hope that for the present there will be no change made in the regulation. The hon. Minister may see fit to make a change and the House endorse his action; but, nevertheless, I believe such change will not be beneficial.

Mr. HADDOW. I have always contended that the month of September was most important to the packer, and if by giving that month to the packer and the fisherman, it becomes necessary to take away any month, I would suggest that operations be closed from the middle of July to the middle of August. Let them, during that season, be prohibited from packing or canning, and take September instead. This suggestion must commend itself to any person who considers the matter, because in the hot season it is difficult to can the goods in a manner likely to be most successful. We do not find, on our coast, the Baie des Chaleurs, the fish in such a large quantity then, and they are besides fuller and better in September.

Mr. BRECKEN. The subject matter under discussion seriously affects Prince Edward Island. Last year we exported as much as \$750,000 worth from the Island. I have been in communication with gentlemen who are engaged in this business and the difficulty, according to them, is to ascertain what is the proper time to establish a close season. In the interest of this very important and wealthy branch of trade, it would be well for those engaged in it to meet and give their representatives some idea of their experience. I am aware that the temperature that would be conducive to the interest of the fisheries in Nova Scotia would not suit those of Prince Edward Island. It is very difficult to

ascertain when the swarming season commences. I think, really, the responsibility does not rest upon the Minister of Marine half so much as upon those engaged in this industry. We had a very large export from Prince Edward Island last year; and I think there will be the coming year, perhaps, thirty or forty factories established. If the trade would give their representatives the benefit of their experience, we should all know how to legislate in its interest. If this industry is not protected, it must be very soon exhausted.

On resolution 75,

Canadian Pacific Railway, between Thunder Bay  
and Red River, including Pembina Branch... \$3,285,000 00

Sir LEONARD TILLEY. We propose a reduction of that item by \$28,000.

Sir RICHARD J. CARTWRIGHT. In respect of what?

Sir LEONARD TILLEY. It is proposed to reduce the item for the Pembina Branch—\$50,000—by \$28,000, making it \$22,000.

Sir RICHARD J. CARTWRIGHT. What will the policy of the Government be with reference to this Thunder Bay Branch—to the imposition of tolls? Does the Government intend, or does the First Minister conceive they have the power to fix the tolls now on such portions of the road as they may hand over, and later as the road is finished, then to have a new set of tolls for the new branch? The question is one of very great importance. I understand he thinks they can do it.

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD J. CARTWRIGHT. So, in voting this money for the Thunder Bay Branch, the question of tolls from Winnipeg or Selkirk to Thunder Bay will not necessarily be fixed until the whole of the branch is constructed?

Sir JOHN A. MACDONALD. Certainly not.

Sir RICHARD J. CARTWRIGHT. I presume the hon. gentleman has given full consideration to this matter?

Sir JOHN A. MACDONALD. Yes.

Sir RICHARD J. CARTWRIGHT. At Winnipeg or Selkirk several railroads will probably ramify together. But I need not tell him that tolls which might justly enough be levied on the portion west of Winnipeg ought never to be allowed by the Government to be levied on that portion extending eastward from Winnipeg and Selkirk to Thunder Bay. This is a matter upon which the House at large would no doubt like to hear the Minister state the intention of the Government.

Sir JOHN A. MACDONALD. I am glad the hon. gentleman has asked the question, because it affords me an opportunity of stating the intention of the Government in that regard. The position of the road will be annually, and indeed continually altered until it is finally completed. At every hundred miles added there are considerations connected with the road, and which would make it inexpedient and impossible that one scale of rates should apply. So the Government will from time to time approve of a scale of tolls for a limited period. No tolls can be collected unless an Order in Council is passed, and any Order in Council passed will fix the tolls for a limited period—say for a year and then they must come again. By continually keeping a short limit, the Governor in Council keeps a continuous check until the road is finished, when, of course, there will be an adjustment of the tolls.

Sir RICHARD J. CARTWRIGHT. This is an important announcement and no doubt a proper one, but can that be done in strict conformity with the terms of the Act. As I read it, if you fix a scale of tolls for any distance, no matter how short, that scale remains fixed for all time.

Sir JOHN A. MACDONALD. No; because, if you pass an Order in Council fixing the tolls for a limited period, there is no Order in Council after that period expires, and they must apply for a new one. Looking at the clause, the power might be held to be an exhaustive one, but it will not be so unless you give an unlimited time.

Mr. MILLS. I understand that the contracts are let for the construction of the missing link between Lake Superior and Red River. What about the charges to be made to the Government or the contractors on rails and other supplies carried over the extremities while the work is going on?

Sir JOHN A. MACDONALD. The Government will see that arrangements are made for the carriage of this freight before the tolls are fixed. That will be fully taken care of.

Mr. ANGLIN. I must say that I am astonished at the statement which was made by the leader of the Government with regard to the Orders in Council fixing the rates of tolls, though, I shall be delighted if his view should be the correct view. It is a view, at all events, which is now propounded for the first time. During the whole discussion of the subject we argued on the assumption that the rate of tolls once affirmed of by the Governor in Council must remain until the Company had earned more than ten per cent on the capital whatever that capital might be held to be.

Sir JOHN A. MACDONALD. I made the same statement during the discussion.

Mr. ANGLIN. It appears to me, though the right hon. gentleman is a much better authority than I pretend to be, that the Statute does not clothe the Governor in Council with any such powers—powers which would enable the Government to fix the rate of tolls arbitrarily, from year to year and from month to month. It seems strange that this doctrine was not propounded by anybody during the discussion of the contract.

Sir JOHN A. MACDONALD. I stated distinctly before, that there would be a limitation. It must be borne in mind that the collectors, if they act under an Order in Council, must accept that Order in Council and be bound by it. They cannot collect tolls except by an Order in Council, and that Order in Council prescribes the tolls for a limited time, there is no Order in Council after that time expires.

Mr. ANGLIN. Does my hon. friend really interpret the law so as to give him powers arbitrarily to withhold assent to a scale of tolls, which might be a fair and reasonable scale, unless the parties submitting them to Council were willing to accept the limitation? The Governor in Council certainly has large powers, but I really think he does not properly and legitimately possess any power of that kind—a power which says, if you do not accept our approval of a scale of tolls for a certain time, we will not give you our approval at all.

Mr. BLAKE. Of course it is clear that the power which the hon. gentleman says he is going to exercise, is a power which he must have under the general law, or he cannot have it at all. It is, therefore, a proposition that under the general law it is competent for the Government of the time to approve of any Tariff of tolls brought forward by any railway company absolutely. I hold that it is a proposition which is opposed to the whole spirit of the law on that subject, because the law provides that the first Tariff of tolls shall not come in force until approved of by the Government, and, after that time, there is power to collect rates. But as to the Canadian Pacific Railway, there is an express provision that that power of revision shall be subject to the clause which limits the power of Parliament, and that clause says that the tolls may be revised only when the income exceeds 15 per cent., or as it is now to be

altered, 10 per cent. Therefore, neither the Governor in Council nor Parliament can interfere with the terminal tolls once established until more than 10 per cent. of the money or capital has been realized by the company. That is the theory of the clause, and I apprehend it will not be found to be lawful for the Government to obtain an additional power of having a fresh Tariff submitted to it, from time to time, by saying: "We do not approve of this Tariff of tolls to last until it has reached an income of more than ten per cent., but we approve of it for a month or a year, and at the end of that time our approval ceases and the Tariff ends." I do not think that will be legal; I should be glad if it were, but I think the hon. gentleman, in order to make it lawful will have to alter the law.

Sir JOHN A. MACDONALD. I do not intend to alter the law. This power the Government will exercise, and as it is in the interest of the public, and as I know the Syndicate will not object to it, there is no use arguing the question, there is the power.

Mr. BLAKE. That is just the point, it is not there.

Sir JOHN A. MACDONALD. There is the law. If the Government have not the power to make the stipulations I mentioned, then the law does not authorize it. But from my point of view we have that power. The Order in Council should be taken as a whole, we intend to exercise it, and I do not suppose the hon. gentleman will object to the exercise of it if it be in the way of protecting the interest of the public against a cast iron scale of Tariff which may be very reasonable now, but which may be very unreasonable ten years hence.

Mr. MILLS. This is a good reason for inserting for the provisions in the contract, but it is not a good reason in support of the line of policy the hon. gentleman proposes to take. He estimates that they are going to exercise a power which the law does not give them.

Sir JOHN A. MACDONALD. I say it does. We differ.

Mr. MILLS. The hon. gentleman knows the Governor in Council has just such power as the Act gives. The Act gives the power of regulating the tolls, and having regulated the tolls it fixes the time when they may regulate the tolls again. If the Act fixes the time the Government cannot fix a different time. The Act provides that when the tolls are once fixed, they are so to remain until the company derives a certain profit from them; when that time arrives, then the Government may intervene again. If the hon. gentleman is right in his construction he has the power of defeating that provision of the contract which provides that the Government shall not intervene until a certain toll is obtained. The hon. gentleman cannot, by imputation, import into the contract a provision that will defeat the express right secured by the contract. If the hon. gentleman does this in the public interest, then it would have been in the public interest if he had accepted those amendments that we suggested from this side.

Sir JOHN A. MACDONALD. There were no such amendments suggested on that side of the House. We have changed position altogether. The hon. gentlemen opposite are now fighting the battle of the Syndicate, and saying that the Government shall not have power to keep the tolls down.

Mr. MILLS, No.

SIR JOHN A. MACDONALD. At all events it is clear that if the Canadian Pacific Railway Company agree to that arrangement they are bound by it, so that really the hon. gentlemen are actually telling the Syndicate not to agree to any such reasonable arrangement. That is the argument of the three hon. gentlemen who have spoken.

Mr. MILLS. We are just discussing what the law is.

Mr. BLAKE.

Sir RICHARD J. CARTWRIGHT. We are discussing a legal question. All on this side are agreed in desiring that the First Minister should do as he says if he has the power. It is a mere question as to whether he has or has not that power; that depends on the construction of the law which I will not pretend to discuss. But I understand from him distinctly, that he does not intend to fix the tolls on the whole road at once; and I understand from him, although not quite in so specific a manner, that, as regards the Thunder Bay Branch from Winnipeg or Selkirk, eastward, he purposed to take special care in regard to that being a road over which several lines might run, that the tolls on that part should be reasonable. I presume he could fix, in any case, different rates of toll for different portions of the road.

Sir JOHN A. MACDONALD. That, I presume, will be the case. The company must submit their scheme of toll to the Government, and their adjustment or readjustment must be determined by discussion with the company, and after the taking of evidence. It would be quite absurd now to fix the scale of tolls for a railroad which will not be built until 1891. It is quite absurd to suppose that an Order in Council passed now to protect the Pembina Branch would protect the whole line of road from the Atlantic to the Pacific.

On resolution 8,

Department of the Interior ..... \$54,530 00

Mr. MILLS moved in amendment:

That the said resolution be not now agreed to, but that it be resolved, That the estimate for the inside service of the Department of the Interior for the year 1876-78, including the Indian Branch was \$44,561, and for the Police Branch then under the control of the Secretary of State, was \$2,700, making together \$47,260; that the estimate for the same service for the year 1881-82 is \$72,080; that this sum is excessive; that the staff is already larger than any explanation given in this House warrants; and that the said item be reduced by the sum of \$7,000.

Amendment negatived on the following division:

YEAS:

Messieurs

Anglin,	Coupal,	Rinfret,
Bain,	Dumont,	Robertson (Shelburne),
Blake,	Fleming,	Rogers,
Borden,	Gillies,	Ross (Middlesex),
Brown,	Gillmor,	Rymal,
Burpee (Sunbury),	Gunn,	Scriven,
Camera (Hurou),	Haddow,	Skinner,
Cartwright,	Holton,	Thompson,
Casey,	Malouin,	Trow,
Casgrain,	Mills,	Weldon,
Charlton,	Olivier,	Wheler.—35.
Cockburn (Muskoka),	Paterson (Brant),	

NAYS:

Messieurs

Allison,	Girouard (Kent),	Muttart,
Arkell,	Grandbois,	O'Connor,
Baker,	Hackett,	Ogden,
Bannerman,	Hay,	Patterson (Essex),
Bill,	Hesson,	Pickard,
Bolduc,	Hooper,	Plumb,
Boulbee,	Ives,	Pope (Compton),
Bourbeau,	Jones,	Pope (Queen's),
Bowell,	Kirkpatrick,	Poupore,
Brecken,	Landry,	Richey,
Brooks,	Lane,	Ross (Dundas),
Bunster,	Langevin,	Rouleau,
Bunting,	Lantier,	Routhier,
Cameron (Victoria),	Little,	Royal,
Carling,	Macdonald (King's),	Ryan (Montreal),
Caron,	Macdonald (Sir John),	Rykert,
Cimon,	McDonald (Cape Breton),	Scott,
Colby,	McDonald (Pictou),	Shaw,
Coughlin,	McDonald (Vict., N.S.),	Sproule,
Coursol,	Macmillan,	Stephenson,
Cuthbert,	McCallum,	Tassé,
Daly,	McConville,	Tilley,
Desaulniers,	McQuaig,	Valin,
Desjardins,	McDougall,	Wade,
Domville,	McLennan,	Wallace (Norfolk),
Elliott,	McQuade,	Wallace (York),

Farrow,  
Ferguson,  
Fitzsimmons,  
Gault,  
Gigault,

McRory,  
Masson,  
Massue,  
Méthot,  
Mousseau,

White (Cardwell),  
White (Hastings),  
Williams,  
Wright.—92.

On resolution 195,

Surveys of Dominion Lands..... \$300,000 00

Mr. ROSS (Middlesex) moved :

That the following words be added thereto : " And that no part of the said sum of \$300,000 be expended in publishing the speech, or speeches, of any member of the House of Commons, as appears by the Public Accounts to have been done, with part of the money appropriated in 1879 under this head, by the publication of a speech, or speeches, delivered by Messrs. Plumb, Langevin, White, and Sir Charles Tupper."

Amendment negatived on a division.

SIR RICHARD J. CARTWRIGHT. We ought to know whether it is the intention of the Government to devote any portion of this vote to the circulation of literature of that kind. The House should know whether the Government has resolved on the policy of publishing speeches of independent members of Parliament. For the publication of speeches of members fair ground might be had, and it is doubtful whether any but the Budget speech should be published.

Sir JOHN A. MACDONALD. As a general rule, the Finance Minister's speech might well be published. The hon. gentleman has always been of that opinion, because he has always taken care that his speeches were published and at an increased cost each year. The price was very modest at first, but every year it increased as the speech became more valuable with the experience the hon. gentleman gained. I take it this is a railway and a Pacific Railway session, and the speeches of the Minister of Railways on that subject are quite as important, and the public look for them just as eagerly, as even for the most eloquent and elaborate speeches of the late Finance Minister. I can assure the hon. gentleman that the Government will only publish information that they think, on their responsibility as a Government, will be really useful to the country and which the country will look for.

On resolution No. 205,

To pay Mr. D. Girouard for railway ties lost in transit  
in 1872..... \$2,640 00

Mr. GIROUARD (Kent). Mr. Speaker, before that item, which has already given rise to some discussion, and the correctness of which leaves more or less to be desired, is passed, I hope I shall be allowed to say a word concerning this claim which I have against the Government, for losses sustained in 1872 in the fulfilment of a contract to supply a quantity of ties to the Intercolonial Railway; for I would like, in so far as it lies in my power, to dispel from the minds of certain hon. members whatever doubts they may seem to have with regard to my transactions with the Government at that time. In 1871, I obtained from the Government a contract to supply ties on a few sections of the Intercolonial. I obtained that contract, as may be seen from the dates, long before I had the honor of being elected a member for the county I now represent. It is not the case, as one has sought to make people believe, that I was favored by the Government when getting that contract, for I got it as being the lowest tenderer; as such, it seems to me that I had the right to see that justice be rendered me, *i.e.*, that the contract should be awarded to me. Now, it appears that that misfortune was the cause that not only did the former Government refuse to recognize my just claim during a term of five years, but also the cause that I incurred the hatred of a member who sits on the other side of the House, and who seems to take an interest in damaging me in the eyes of my constituents. I think I may dispense with entering into details with regard to that claim; the explanations given the other night by the hon. member for

Victoria (Mr. Costigan) and the documents now before the House, referring to the transaction and adducing testimony worthy of belief from people explaining it, are sufficient to prove conclusively that I am entitled to my claim. But, Mr. Speaker, I must here say that, for some time past, I have been subjected to unworthy attacks on the part of a newspaper published at St. John, N.B., which paper, it is said, is the organ of a member sitting on the other side of the House. That paper seems interested in damaging me in the eyes of my constituents, but as its mendacious accusations are not worth the paper they are printed on, I leave all its vile calumnies to the contempt of those who have ever honored me with their trust. I may, perhaps, be allowed to read a paragraph, or rather an article, published in the St. John, N.B., *Freeman*, dated 7th August last :

#### Railway Sleepers.

" A correspondent of the *Telegraph*, who styles himself ' Economy,' calls upon Mr. Anglin to state what he knows about the claim made by Mr. F. Turgeon on the late Government, and now, it is said, renewed. It is not necessary that Mr. Anglin should make a newspaper statement in this case, as the facts are well known. Mr. F. Turgeon, who had a sub-contract from Mr. Girouard, M. P., then acting, as was supposed, for M. Renaud, M. P., alleged that of the sleepers got out by him, and placed on or near the railway track, several thousands were rejected by the inspectors; that Mr. Girouard refused to take those rejected sleepers off his hands, or to pay him for them; that they lay where he had placed them and remained his property; that they were subsequently taken by parties working on the railroad and laid on the road. If this statement, which Mr. Girouard at first contradicted directly and positively, and afterwards sustained by an affidavit, were true, Mr. Turgeon would, undoubtedly be entitled to the fair value of those sleepers he claimed, we believe, about \$1,200; but Mr. Brydges on making enquiry, reported that no sleepers belonging to Mr. Turgeon, no sleepers that had not been bought and paid for, were used on the road. Repeated applications and enquiries always led to the same result, and Mr. Stevenson, the Intercolonial Railway paymaster, when he was questioned on the subject, stated that all the sleepers at first rejected on that section—including those " culls " for which Mr. Turgeon claimed, were subsequently taken and paid for at a lower price. He stated, moreover, that Mr. F. Turgeon spoke to him more than once about those culls, and never pretended that they had not been paid for, but complained that the price Mr. Girouard allowed him for those culls was too small. If the statement of Mr. Turgeon is true he should be paid. If the report of Mr. Brydges, based on the evidence of the officers of the railroad, is well founded; if Mr. Stevenson has not misrepresented the facts of the case most grossly, any payment now made on account of those sleepers would be most improperly paid. Perhaps Mr. Simard, who, it is said, has been sent to enquire into this and other matters, may discover something that neither Mr. Brydges nor any of the officers of the railroad, nor Mr. Stevenson, knew. There are several other claims made by persons in Bathurst parish and Petit Rocher for injury done to their lands and houses, for cattle killed on the railroad, etc., which certainly are not without merit."

Now, Mr. Speaker, thinking that the editor of that paper was without the information I had already given him on the subject, I took the liberty of writing a confidential note to him, which he communicated to his readers. This is what he writes :

" EDITORIAL NOTE.—*Those Sleepers*.—Mr. Girouard, M. P., irritated, it would seem, by the *Freeman's* statement, that he was acting, as was supposed, for A. Renaud, M. P., in supplying sleepers for one of the sections of the Intercolonial Railway, has written a very angry and a very foolish letter, in which he tries to be very insolent. Although he marked the letter private, in justice to him, we publish his denial of the statement, and allow it to go to the public for what it is worth.

" He says: ' I never was acting for Mr. Renaud, for my contract was a *bona fide* one, and not a Government favor. I got my contract from the Government, not as a favor, but because my contract was the lowest one.'

" Mr. Girouard also says that he does not think that the statement, which he made respecting the sleepers, for which the sub-contractor claims payment, are contradictory."

Now I think, that in order to obtain justice, considering that the editor of that paper took the liberty of publishing a private letter, I will read to this House the interesting portions of that private letter. This is what I wrote on the 6th August, 1880 :

" [Private.]

" BUCTOUCHE, N.B., 6th August, 1880.

" Hon. T. W. Anglin, M. P.,  
St. John, N.B.:

" DEAR SIR—I noticed in the last issue of your paper (dated 7th inst.) an editorial note *in re* railway ties. I must say that note did

more or less surprise me. Your insinuations that Mr. Girouard, M. P., then acting, as was supposed, for Mr. Renaud, M. P., are, I may say erroneous, uncalled for and very improperly made.

"You will please remember that I never was acting for Mr. Renaud then M. P., nor for you when speaker in the House of Commons. I never was a tool for Mr. Renaud nor you in order that a large sum of money may also be misappropriated (as you say) for 'Culls' or I say 'Printing Jobs,' for my contract was a *bona fide* one, and not obtained as a Government favor. Your paper stated that 'I at first contradicted directly and positively, but afterwards sustained by affidavit Mr. F. Turgeon's statement.'

"What I stated in that affidavit which I have made at your instance is, as far as I recollect, this: 'That Mr. Turgeon had sleepers delivered on the line not received nor paid for by me and that if the said quantity of ties had been used by the Government, I considered he was (Mr. Turgeon) in equity entitled to be paid'—I do not see anything wrong in this—I got my contract from the Government not as a favor, nor as being in partnership with any one, but because my tender was the lowest one.

"You insinuated that I have made two statements in contradiction one to the other. What I have stated with reference to Mr. Turgeon's claims I am still prepared to maintain it.

"Yours very truly,  
"G. A. GIROUARD."

I read that private letter because the editor of the St. John, N.B., *Freeman* thought fit to quote only that part of it which suited his purpose. As a matter of course, I never acted for Mr. Renaud, any more than I did for the *Freeman*, for the *Toronto Globe*, or *La Patrie*, which seek to make a scandal of this transaction. *La Patrie* pretends that I was silent for five years. That is false. The documents before the House prove that I renewed my claim in 1876, 1877, 1878 and 1879. As to the remarks made by the *Globe*, I do not think, Mr. Speaker, that I am called upon to answer the malicious and vile insinuations of the organ of the Opposition. It is sufficient to be acquainted with the spirit that presides over the editing of that paper to deter one from answering it. The hon. member for Gloucester (Mr. Anglin) told us the other night that I had informed him that Mr. Costigan, the hon. member for Victoria, had received a certain sum of money belonging to me, without being authorized thereto by me. Mr. Speaker, I assert that this is false. I deny it *in toto*. I never said anything of the kind to the hon. member for Gloucester (Mr. Anglin). Now, if we examine the report before this House, I see that Mr. Brydges has stated that my contract was cancelled in 1873. I have to say that I never at any time received any notice that my contract had been cancelled in 1873. Moreover, it is easy to see from the correspondence that followed, that this is a mistake on his part. I think that this legitimate claim, which the Government has just recognized, exercises in a special manner the hon. member for Gloucester (Mr. Anglin); the integrity of that hon. gentleman must of necessity compel him to be thus exercised. When one has been Speaker of the House of Commons, and when one has dabbled in jobs to the extent of being obliged to resign both Speakership and membership, one is certainly entitled to rail against those who tardily receive the legitimate value of their work. Mr. ex-Speaker is displeased that one should pay me what is due me, but he was as silent as a corpse when he pocketed some twenty thousand dollars for having printed a few blank forms for the Post Office Department. Moreover, the hon. member has ever had a double set of weights and measures, which is a very convenient precaution for a man like him. I have always thought that the man who would take the trouble of closely examining his political career would discover edifying things. I am but young, Mr. Speaker, but here is among others, an incident of which I was a witness. I will relate it, and I am sure that if there is in this House a member who does not yet know the hon. member for Gloucester (Mr. Anglin), religion's champion, virtue's guardian, he will have to know him at once. No one, moreover, is ignorant of the fact that all the noise made at present over that enormous sum of \$2,643 without any interest emanates from the saintly and pure representative of Gloucester (Mr. Anglin). In 1873, Mr. Speaker, I

Mr. GIROUARD (Kent).

came to Ottawa to press that claim for the second time. The hon. member for Gloucester (Mr. Anglin), who had my case in hand, invited me into his office, and gave me to understand that I might possibly get paid, but on certain conditions. These were the conditions: I was to support Mr. McLeod, member for Kent, then in England, or come forward as a Liberal if I stood for election. He told me that this was most important, and that if I wanted to get paid I must at once announce that I would come forward as a Liberal candidate. I took a note of these words at the time, and quote them literally. I answered him that my political opinions would not change for the sake of money, and returned the same day to New Brunswick; and notwithstanding the violent opposition I had to encounter, I was elected over Mr. McLeod, and that without changing my political color. As such, Mr. Speaker, I think that I represent to-day the views of my constituents, and I might even say those of the hon. member for Gloucester (Mr. Anglin). Now, in this case, I think I have done all that a man who has rights and who seeks to have them established, should have done. I know that one has, and that one is still doing, all that is possible to discredit me in the eyes of the public, but I can say that the acts of my calumniators have only had, and will only have, for a result the raising me higher in the estimation of my constituents; and if the *printing jobber* has any doubts on the subject, I invite him to come into the county wherever he likes, and he will soon be convinced.

Mr. ANGLIN. I am sorry that the hon. member for Kent (Mr. Girouard) has made a statement which requires me to answer it at some length, which I will do largely from the correspondence regarding this matter. He denies he ever stated to me that he had not authorized Mr. Costigan to draw certain sums. I think that Mr. Brydges and others can be produced to prove that he repeated such statement in Mr. Brydges' presence; that he made a claim for several thousand dollars over an above the amount claimed for this particular quantity of ties. I find, even in the papers before the House, in the report of the hon. Minister of Railways, that the claim was \$6,500. I think he never pretended at first that any quantity of ties was lost, and that even at the high price paid for them, they would amount to that sum. However, this claim was made, but it does not appear in any paper I have seen. I stated simply, the other morning, the facts: that Mr. Girouard wrote to me asking me to help him to press his claim upon the Government, arising out of this account. I replied, in writing, I would be happy to assist him in pressing any fair claim, asking him to send me a copy of his account and such statements as would enable me to deal intelligently with it. He answered by the extraordinary statement that he had no account, and asked me to apply to the department for a copy of it. I did so, and the account was sent to me. I found copies of two different accounts both treated as one transaction, and that various sums were charged as having been paid; among others, some through Mr. Costigan. I sent back the statement to Mr. Girouard, and he wrote me back, almost immediately, that he had never authorized Mr. Costigan to draw those sums. I replied, that if the department paid money without Mr. Girouard's authority, they ought to pay him over again. My impression now is—though I am not clear on the point—that I sent his letter enclosed in one from myself to Mr. Brydges, drawing his attention to this extraordinary statement and asking him to cause an inquiry to be made into it. I would be rather surprised if that paper was not to be found in the papers of the department; upon that basis the claim was pressed a considerable time. I think I began in 1876 that triangular correspondence that caused me a great deal of trouble, continuing it till I came here in the Session of 1877, when I went in person to the Railway Department and brought the matter up again. I

was met on the part of Mr. Brydges and the officers with the statement that the sum claimed had been paid, I think, on the authority of a power of attorney, and that Mr. Girouard had been settled with in full and had sent his receipt in full—that there was nothing due him. They denied all responsibility on account of the ties admittedly lost—the number I do not know. The railway officials repudiated altogether all liability on account of those ties. With regard to the other question, Mr. Brydges told the officers to look up the receipt and shew it to me. I said I could not question his word, and did not press for or see the receipt. But I think I then wrote Mr. Girouard that I could not see my way to pressing his claim any further, informing him of the statements made me. He replied he had never signed a receipt in full; that on one occasion, when he received a large sum, he was asked by Mr. Stevenson to put his name on a piece of blank paper, that Stevenson said he had no time to fill up the receipt, but would do so afterwards; but that there was no intention on his part to sign the receipt in full. That statement was met by a point blank contradiction in the department. The officers said he had signed a receipt, regularly drawn up, for a regular settlement in the regular way. My correspondence with Mr. Girouard ceased towards the end of the Session of 1877. I did not see or hear from Mr. Girouard till about the middle of the following Session, when Mr. DeVeber, then a member of this House, who had some transactions with Mr. Girouard, informed me that he was here to press that claim, and asked me to have a talk with him about it. I told Mr. DeVeber I had done all I could in the matter, and had been forced to the conclusion the claim was unfounded; that the only question that could be raised was about the sleepers lost; that the officers of the Government all concurred in the assertion that there was no responsibility of the Government for the sleepers, and that there was no other claim to meet. However I saw Mr. Girouard, who repeated his last statement that there was a large claim of his unpaid, and we agreed to call on Mr. Brydges the next day. On our going to the department Mr. DeVeber insisted on seeing the receipt in full, but, though looked for, it could not be found. He then thought that a rather suspicious circumstance, and insisted the receipt must be produced. It could not be found, when it was thought desirable that all the secondary evidence should be produced. Mr. Stevenson was sent for. I was not present when he was examined, but Mr. DeVeber afterwards informed me, as did Mr. Brydges, that Mr. Stevenson stated most positively that he never accepted the delivery of those ties from Mr. Girouard or any one on his behalf; that he took them into Bathurst Basin where they were not wanted; that he was bound by his contract to deliver them at Petites Roches, 10 or 12 miles further up in the Bay of Chaleurs, and that after their remaining there some time he attempted to take them up the Bay, and that on the way they were lost. While Mr. Girouard says that he gave delivery of the ties to Mr. Stevenson, and that they were duly and formerly accepted by him, Mr. Stevenson positively contradicts the statement, and argues very plausibly, at all events, that it would have been absurd and a gross violation of his duty to accept the delivery of ties where they were not wanted.

Sir JOHN A. MACDONALD. Mr. Stevenson swears to the direct contrary of that statement.

Mr. ANGLIN. I am repeating his own statements.

Sir JOHN A. MACDONALD. They are in the papers produced.

Mr. ANGLIN. I am but repeating the statements of Mr. Stevenson, who added that he insisted that Mr. Girouard should deliver the ties at a different place, that he attempted to take them up, and that on the way they were lost. He

asserted moreover, and to myself more than once, that instead of asking Mr. Girouard to sign a receipt in blank, he had a distinct, full settlement of the whole account; that Mr. Girouard expressed himself as fully satisfied with that settlement; that he accepted the balance which appeared to be due to him of something like \$4,500; that then and there he filled up a receipt in Mr. Girouard's presence; and that after it was filled up Mr. Girouard signed it. Mr. Duplessis, the accountant of the department, was not present at the time the enquiry was made, as he was ill of paralysis, of which he subsequently died. Application was made to him, however, for a statement of the facts, and he wrote a note in which he stated that he was present when this settlement was made, that it was a settlement in full, and that Mr. Girouard expressed himself as fully satisfied with that settlement, and signed a receipt. So satisfied was Mr. DeVeber with this evidence, that he abandoned the case as I had previously abandoned it. That was my whole connection with the case. It gave me a good deal of trouble, but I thought at first that Mr. Girouard had a good claim; but the evidence was so overwhelming on that point that I withdrew from the matter. If it could be shown that delivery was made to Bathurst Basin to any duly authorized official of the railway, Mr. Girouard's claim for payment for the value of those ties is a good and valid claim. On that point there can be no question; but that is the point upon which the whole dispute turns. The hon. member for Victoria the other night seemed to think that it was I who stated that he had drawn money without authority; but I never said anything of the kind. I said to Mr. Brydges that I thought Mr. Girouard had so stated; in fact, I think I sent him a letter, which will be found in the department. The rumor got abroad that such an assertion had been made by Mr. Girouard, but it was not of my making, and I never attached much importance to it. I thought it my duty to submit the claim to Mr. Brydges for consideration, but it was not seriously pressed, because it was met by the statement that no matter what might be the nature of the business between Mr. Costigan and Mr. Girouard, the money drawn by Mr. Costigan was drawn under power of attorney, and paid over properly by the department, so that the dispute was a matter between themselves. With regard to the other statement made by the hon. gentleman that I had said some time or other that he would be paid this account if he would become a Liberal and support Mr. McLeod, it is utterly false and untrue; there is not the slightest foundation for any such statement. All that passed between us about the election in Kent was this: he himself informed me that he intended to be a candidate, and that if he was elected, he would support the Mackenzie Administration. I never asked him to do so, and at all events at that time I had withdrawn from the case, and it was then in the hands of Mr. DeVeber. I never led him to believe that he would be paid unless he fairly established his claim, and I never did anything else than assist him in putting his claim fully and fairly before the proper authorities—Mr. Brydges and other officers. The statement of the hon. gentleman is certainly an extraordinary statement; I could hardly have conceived it possible that he could have made such a statement; but in the county where we are both known, I am perfectly willing that my statement of the affair should go against his. I am rather surprised to find Mr. Stevenson making a statement in the case which is directly opposed to those he has previously made.

Sir RICHARD J. CARTWRIGHT. I have now had the opportunity of looking over these papers, and I find two or three letters and a report which seems to set forth, tolerably clearly, the rather contradictory testimony that appears to have been given on this subject. We have first a letter, dated 5th April, 1878, addressed to Mr.

Brydges, by Duplessis, who I believe is now dead. It is as follows:—

" OTTAWA, April 5th, 1878.

" C. J. Brydges, Esq., Ottawa.

" DEAR SIR,—I beg leave to say that I was present in the Intercolonial Railway Office at Ottawa in November 1873, when Mr. W. H. Stevenson, paymaster, paid Mr. G. A. Girouard \$3,738.09 which sum was well understood at the time by Mr. Girouard to be in full of all demands for sleepers for Sections 9 and 15, and I further state that I saw Mr. Girouard sign the receipt for the same and expressed himself well pleased at the settlement.

" I have the honor to be, dear Sir,  
" Your obedient servant.  
" (Signed) THOS. C. DUPLISSIS."

Mr. Stevenson's letter of the same date is as follows:—

OTTAWA, 5th April, 1878.

" C. J. Brydges, Esq., Ottawa.

" DEAR SIR,—In reply to your communication *in re* G. A. Girouard, I beg leave to say that I settled with Mr. Girouard in the office of the Intercolonial Railway at Ottawa, in full for all sleepers delivered upon Sections 9 and 15 of the Intercolonial Railway, and paid him same time in the presence of Mr. Thos. C. Duplessis, accountant, \$3,738.09, in full for same as per receipt.

" And further state that Mr. Girouard expressed himself as very well pleased at the settlement and payment for the same. No sleepers were delivered by him afterwards.

" I have the honor to be your obedient servant,  
" (Signed) WM. H. STEVENSON."

Then we have the report of Mr. James Cowan, Official Arbitrator, as follows:—

[No. 21,844.]

" With respect to the claim of G. A. Girouard (\$6,455.66), for sleepers lost in the Bay of Chaleurs, Mr. Girouard bases his claim on a guarantee against loss, said to be given him by W. H. Stevenson. Mr. Girouard, in his evidence says: 'After I had delivered all the sleepers at Bathurst, except four rafts, Mr. Stevenson said to me that these four rafts were to be delivered at Petit Rocher; I said to Mr. Stevenson that according to his instructions I had prepared the rafts to be delivered at Bathurst Bay, that they were not in a fit state to be taken up the Bay of Chaleurs, when he replied, that if there was any loss sustained or additional expense incurred, the Government would make it good. There was no person present when I had the conversation with Mr. Stevenson.' Mr. Girouard proved very satisfactorily the loss of the sleepers, and adduced in support of his claim, a letter from Mr. Stevenson to Sir Charles Tupper, in which Mr. Stevenson, among other things, says: 'That if Mr. Girouard proves the loss as above stated, I think that in equity he is entitled to it' Looking on this as too indefinite, I postponed presenting my report until I had an opportunity of examining Mr. Stevenson. In his evidence he says: 'Was paymaster on the Intercolonial Railway when Mr. Girouard delivered sleepers at Bathurst Bay; I never asked him to take four rafts nor any rafts from Bathurst Bay to Petit Rocher, and never told him if there were any loss the Government would make it good; would not have done so, because Bathurst and not Petit Rocher was the place where the sleepers were wanted.'

" I look upon this testimony as conclusive against the claim of Mr. Girouard.

" All which is respectfully submitted.  
" (Signed,) JAMES COWAN,  
" Official Arbitrator.

" Ottawa, November 3rd, 1879."

After that the First Minister and Mr. Shanly respectively reported in favor of Mr. Girouard's claim. Now it is apparent that there is a serious contradiction in Mr. Stevenson's evidence. There remains the official decision of Mr. Cowan, who looked into the whole case against Mr. Girouard's claim, and there remains also this letter from Mr. Duplessis in which he states he was present when the full receipt was given. The evidence of Mr. Stevenson may no doubt be contradictory, but the whole affair appears to me to be in an unsatisfactory shape. Further than that we have the decision of the Official Arbitrator, Mr. Cowan, against this claim, after inspection and after hearing evidence, which was afterwards reversed by Mr. Shanly.

Sir JOHN A. MACDONALD. I am glad this matter has been brought up because, in justice to the hon. member for Kent (Mr. Girouard), it requires a full explanation. I have no hesitation in saying that a more just claim than that presented by the hon. member for Kent could not possibly be presented to the Government. The hon. member for Gloucester said that Mr. Stevenson had told him several

Sir RICHARD J. CARTWRIGHT.

times that he had never accepted those ties at Bathurst because they were wanted at Petit Rocher, and Mr. Stevenson swears that he could not be responsible for the loss of the ties between Bathurst and Petit Rocher, because they were wanted at the former and not at the latter place. Now the case stands thus: Mr. Girouard had contracted to deliver ties along the line of the Intercolonial Railway; he prepared those ties and put them up in rafts sufficiently strong, took them to Bathurst where Mr. Stevenson says they were wanted. Therefore he had performed his contract, because he had taken the ties to the place where Mr. Stevenson says they were wanted. But Mr. Stevenson says he could not have taken the risk of ordering them to be taken to Petit Rocher, because they were wanted at Bathurst. I would ask if there is any common sense in that. Mr. Girouard having performed his contract, and after being warned, as is sworn to by his foreman, that these timber ties were not put up sufficiently strong to be taken to Petit Rocher without risk, of his own accord he did run that risk which proved fatal to the raft, because the whole thing was broken up. The case is clear. They were wanted at Petit Rocher; they were lying there at Bathurst. Mr. Stevenson must have felt that he had done an injustice to this man, because he recognized his claim as equitable, and how could it be an equitable claim if against his wish, after they had been delivered at the place where Mr. Stevenson wanted them, he had, of his own accord, taken them to the place where they were not wanted. The truth of the matter is that Mr. Stevenson had given that authority, and finding himself getting into a scrape, thinking that he would be discharged or censured for doing this, he tried to get out of it, and he denies it. Otherwise there could be no sense in his statement that Mr. Girouard had an equitable claim. He could have no claim at all if they were wanted at Bathurst, and contrary to Mr. Stevenson's desire, he had taken them away around to sea at his own risk, and carried them to a place where they were not wanted.

Sir RICHARD J. CARTWRIGHT. Does the contract specify where these ties were to be delivered?

Mr. GIROUARD. The terms were that the sleepers should be delivered at every five miles, or at any other place named by the officer.

Sir JOHN A. MACDONALD. Let me read the affidavit of Dominique St. Léger, of the parish of Dorchester, in the county of Westmoreland, which is as follows:—

" I, the undersigned, Dominique St. Léger, of the parish of Dorchester, in the county of Westmoreland and Province of New Brunswick, school-teacher, make oath and say:

" 1. That G. A. Girouard, of Buctouche, in the county of Kent and Province of New Brunswick aforesaid, Esquire, in or about the year of our Lord one thousand eight hundred and seventy-two, entered into a contract to deliver a certain quantity of sleepers on the line of the Intercolonial Railway.

" 2. That I was then acting as agent of the said G. A. Girouard when he delivered the sleepers aforesaid.

" 3. That I know Mr. Wm. H. Stevenson, the paymaster on the said Intercolonial Railway, and the said Mr. Girouard told me that the said Mr. Stevenson had first ordered all the sleepers which came down from Bathurst River, to be delivered at Bathurst at or near where now stands the Bathurst station, but subsequently insisted that four rafts of the sleepers so delivered at Bathurst should be taken to Petites Roches and delivered there; that in consequence thereof the said G. A. Girouard told me to take the said four rafts of sleepers to Petites Roches, which I did do as far as I could, as so requested by the said Wm. H. Stevenson.

" 4. That I then told the said Girouard it would be very dangerous and very expensive to take the said sleepers from Bathurst to Petites Roches, as the said rafts would have to be built up in rafts purposely, so as to be able to withstand the rough sea in taking them out in the open bay, in order to take them to Petites Roches, a distance of about fifteen miles.

" 5. That the said Girouard then, in reply, told me that the said Wm. H. Stevenson had promised him that whatever expenses or losses he, the said Girouard, would sustain in so taking the said sleepers from Bathurst to Petit Rocher, the Dominion Government would make it good to him, the said Girouard.

" 6. That in the summer of the year 1872, I saw the said Stevenson in reference to the said sleepers being taken to Petit Rocher as aforesaid,

and that I remember the conversation which took place between him (the said Stevenson) and me.

"7. That the said Stevenson told me that he had agreed with the said Girouard about the said sleepers, and whatever expense or loss the said Girouard would incur or sustain in so taking the sleepers to Petit Rocher as aforesaid, would be paid to the said Girouard by the Government aforesaid.

"8. That from the instructions so given me by the said Stevenson as agent aforesaid, I took the said four rafts of sleepers in the summer of the year A.D. 1872 from Bathurst to Petit Rocher aforesaid, when by the high winds, storm and rough sea, the said rafts got broken up on the way, and a very large quantity of said sleepers got loose and was lost, and the G. A. Girouard suffered a very serious loss thereby."

So it appears that they were delivered at Bathurst. They were put together in rafts in a slight way because it was in the open sea. It was contrary to common sense that he should run the risk, when he was warned by his foreman not to take them to Petite Rocher unless he was told by Mr. Stevenson and guaranteed by him against loss. This man swore that Mr. Stevenson actually told him the Dominion Government would indemnify him for any loss incurred in taking them from Bathurst to Petite Rocher. Under these circumstances what can be said in the papers? We have only the statement of Mr. Stevenson, a person interested, who had placed himself in a dilemma by giving this guarantee to Mr. Girouard and trying to back out of it, and told falsehoods about it, because he states in the papers that the ties were wanted at Bathurst, and yet he told the hon. member for Gloucester (Mr. Anglin) they were not wanted at Bathurst and were not accepted there, because they were required at Petite Rocher. So Mr. Stevenson has been proved by the hon. member for Gloucester to be a man whose word is not to be believed, because he either told a lie to the hon. member for Gloucester or signed a lie on the papers before the House. There is no getting out of that. Then as to Mr. Girouard giving a receipt, every word that Mr. Duplessis says is true. Mr. Duplessis says that Mr. Girouard signed a receipt in full for the ties delivered. But Mr. Stevenson says they were not delivered, they were lost at sea, and he refused to pay for them; but the account was correct as to the ties delivered, and a receipt was obtained, but Mr. Stevenson subsequently wrote a letter stating that Mr. Girouard has got a just and equitable claim for consideration under the circumstances. It is quite clear that Mr. Stevenson found he had got into a scrape, having given the guarantee of the Dominion Government without their authority, and that he ran the risk of censure or dismissal, and, therefore, he concocts this story. It is said Mr. Girouard gave a receipt in full. The receipt was for ties admitted to have been delivered, for which he was paid in full, leaving the claim for the ties that had been lost to subsequent adjustment. That is the whole case. I must say that this practice, and it was a very improper practice, in the Department of Public Works during the last few years to insist, if there was a dispute, that a receipt be given in full of all demands, was contrary to law and justice. If there is a difference between the department and a party as to the amount actually due, a receipt should be taken without forcing a man, on account of his necessities and because he required the money, to sign a receipt in full of all demands. The practice followed was one contrary to law and had work hardship in many cases. A certificate was given by Mr. Cowan to Mr. Girouard stating that he had a proper claim on account of the ties. Afterwards Cowan saw Stevenson, and behind Mr. Girouard's back without giving him an opportunity of cross-examining Stevenson or calling his foreman, and upon Stevenson's statement Cowan, as an arbitrator, decided that he must take the report of the paymaster as being conclusive in regard to the claim.

Sir RICHARD J. CARTWRIGHT. The contract should be placed on the Table.

Mr. ANGLIN. I regret that the matter was not investigated by the Public Accounts Committee, where the facts

could have been accurately ascertained. Mr. Stevenson is a gentleman with whom I am thoroughly acquainted, and he appears to be a man of very great intelligence. I can hardly imagine that he would make so incoherent a statement as he appears, according to this statement, to have made. If he wanted the ties at Bathurst there was no reason why he should have instructed Mr. Girouard to have them taken down to Petit Rocher. The other statement made by Mr. Stevenson is coherent on the face of it, though it may not be truthful. The case involves more than this particular payment to Mr. Girouard; it involves the question whether the First Minister was actuated by proper motives in reporting in favor of that amount being paid. His statement is a very fair statement, but the whole question should be investigated by the Public Accounts Committee, so that it may be put beyond all reasonable doubt.

On resolution 230,

Winnipeg Immigrant Reception House—amount required for extension ..... \$4,500 00

In answer to Sir RICHARD J. CARTWRIGHT.

Mr. POPE (Compton). We have always experienced a difficulty in consequence of not having any separate apartments for immigrants afflicted with contagious diseases. We now propose to extend the accommodation for the reception of immigrants as well as for the sick.

Sir RICHARD J. CARTWRIGHT. Is it intended to provide sleeping accommodation?

Mr. POPE. Yes.

Sir RICHARD J. CARTWRIGHT. How many will be accommodated?

Mr. POPE. About 200.

246. Geological Survey, additional amount required to complete this service ..... \$10,000 00

Mr. ROBERTSON (Shelburne). Will any portion of the vote this year be expended in the western part of Nova Scotia. In May, 1879, I addressed a letter to the Department of the Interior, signed by the hon. members for Lunenburg and Queen's and myself, drawing the attention of the hon. Minister to the importance of having a geological survey of those counties. In June, 1879, the hon. member for Lunenburg received a letter in reply, stating that an officer of that branch of the Department would commence explorations in the south-western part of Nova Scotia that year. No officers appeared in any of those counties. Last year, I wrote to the Geological Survey Department, drawing their attention to the matter, and was informed they knew nothing about it and could not promise that an officer would be sent to that section that year. Will any portion of the grant be expended there this year? It is unnecessary to show how important it is to have this section explored.

Sir JOHN A. MACDONALD said it was a matter for decision by the Director of the Geological Survey, and he would make enquiries of that gentleman about it.

252. To refund to the representatives of the late A. M. Delisle, shipping masters' fees paid into the Treasury by him, in error, whilst acting as Collector of Customs at Montreal \$2,457 29

Mr. BOWELL. It was the duty of Mr. Delisle to collect, under the Merchant Shipping Act of 1854, certain fees as shipping master. These fees were always retained by the collector. Mr. Dunscomb collected similar fees and retained them. Mr. Delisle, not being aware of the law, paid those fees into the general revenue. Mr. Simpson, on being promoted to the collectorship of Montreal, collected the fees and retained them until the fall of 1878, a few days before the late Government went out of office, when they appointed a shipping master to perform that duty. Before this

item was paid, I made enquiries into the matter and found that Mr. Laflamme, had reported on the case recommending the payment of the sum to Mr. Delisle. I was not satisfied with that opinion and referred the case to the Justice Department, and Mr. Lash made a report on it, on receipt of which the Order in Council was passed recommending the payment of the sum. In order that the House may thoroughly understand the case, I will read Mr. Lash's opinion :

"I have considered the application made by Mr. Delisle, late Collector of Customs at the Port of Montreal, for refund to him of fees collected by him in his capacity as Shipping Master of Montreal and paid over to the credit of the Receiver General as alleged by him in error.

"Mr. Delisle, in performing the services and in collecting the fees, assumed to act under the provisions of the Imperial Merchant Shipping Act, 1854, and under that Act the persons performing those services and collecting the fees are entitled to retain them. I think that the 159th and 125th sections of the Merchant Shipping Act, 1854, was his authority for so acting.

"It does not appear from the papers sent me why Mr. Delisle paid the fees collected by him over to the Government.

"You informed me that he received no salary from the Crown as a remuneration for these services, and that no arrangement was made with him respecting the fees. Whatever may have been the strict legal position of Mr. Delisle as to the performance of those duties and the collection of the fees, one thing seems perfectly clear, and that is, that in the absence of any arrangement between him and the Government respecting the fees, the Government had no right to them whatever, and should return them.

"The fees collected by Mr. Delisle were in remuneration for services actually performed by him, and in respect of which the persons who paid the fees received the benefit.

"Assuming that no arrangement was made with him respecting the fees under which the Government would be entitled to retain them, I think that the amount received should be returned to Mr. Delisle's legal representatives, he having, I am informed, died since making his application.

"I notice from one of the papers sent me that Mr. Dunscomb, the collector of Quebec, performed similar services there for which he received fees, and which fees were retained.

"I may mention that under our Act respecting the shipping of seamen, Chap. 129, Statutes of Canada, 1873, persons performing similar services are entitled to similar fees for their own benefit. Papers returned."

Upon that authority, which was backed by that of Mr. Laflamme, the Government decided to pay the money to the heirs of the late Mr. Delisle.

Mr. ROBERTSON (Shelburne). Under the head of the item for Dorchester Penitentiary, I would like to ask this question: At the time the prisoners were removed from Halifax to Dorchester, a part of the staff were paid till the 31st October, and a portion were not paid beyond the 31st July. What does the Minister of Justice propose to do in connection with the petition recently sent to the department asking for the payment therein mentioned of Messrs. Black, Carmody, Wright, and Corregan?

Mr. McDONALD (Pictou). My answer is, they were paid all they were entitled to receive.

On the order for the House to go into Committee of Supply, to consider the Supplementary Estimates,

Sir RICHARD J. CARTWRIGHT. Mr. Speaker, I desire to say a few words with reference to the Supplementary Estimates, and to put a motion in your hands. The House and country too, I think, must look with considerable astonishment, and perhaps with considerable alarm, on the enormous extent of the Estimates prepared for our consideration. In 1878, as everybody is aware, the total expenditure of the country was, as nearly as possible, \$23,500,000. I perceive that, by the very first Estimates that were brought down for the present year, no less a sum than \$25,305,000 was required. By the Supplementary Estimates which we have just passed, \$461,000 was added to that amount, and by the further Supplementary Estimates about to be discussed, an additional sum of \$260,000 is required, making, for the service of 1881, a sum total a little in excess of \$26,000,000. Now, for 1882, by the first estimate brought down, just discussed, the sum of \$26,189,000 was required to be provided, and the second, on Supplementary Estimates, demanded, further, \$285,000, making in all, allowing for some small deductions, a sum total

Mr. BOWELL.

of \$26,465,000, required for the service of 1882, to which, beyond all doubt, other Supplementary Estimates will be added before the sum total needed for this can be attained. Now, in addition to this very large increase, we knew from the statements of hon. Ministers themselves, that very considerable further charges, and further charges of a fixed and permanent character, will undoubtedly be inflicted upon this country. These are things of themselves sufficient to call for the very serious consideration of the House; because there is one feature peculiar, I think, to Canada, with regard to these charges, to which I desire to draw the special attention of the House for a few moments. I am not aware of any other country, at any rate of any young country, in which the fixed charges bear so very large a proportion to its annual expenditure as in Canada. We are asked to provide for \$26,500,000, in round numbers, for 1882. Now, I find that for those charges which we absolutely fixed, that is to say, the interest and subsidies, no less than \$12,874,000 are demanded; that as other charges on the revenue which, as hon. gentlemen are aware, are in their nature fixed charges also and cannot well be reduced, the sum of \$5,396,000 is demanded; and the permanent charges on account of Indian annuities can hardly be put at a smaller sum than \$500,000. The result is the absolutely fixed charges upon our revenue, I may say, amount to \$19,000,000 as against an expenditure of \$26,500,000, and to these \$19,000,000 will be added in a very few years further fixed charges of no less than \$2,000,000, making a total of fixed charges now incurred, or likely soon to be incurred, of \$21,000,000. I find further that, of the charges which are customarily called ordinary expenditure, a very large amount indeed consists of sums which are, to a very great extent, entirely beyond the control of this Government. Every man who has had any experience in the administration of public affairs knows that when once you have granted an increase of the salaries of the employes of the departments, it is a matter of extreme difficulty to reduce them, and that charges for the judiciary and penitentiaries are also very difficult of reduction. At present our judiciary and penitentiaries require the sum of \$900,000. The cost of our light service, making full allowance for a reduction in the number of lighthouses to be constructed, amounts to \$450,000. Civil government and superannuation reach \$1,100,000. Certain portions of our public works, known as rents, repairs, etc., amount to \$500,000, which it is practically out of our power to reduce; while for our North-West Police and legislation we need \$850,000. The result of all that is to show that a very small proportion of our income is susceptible of reduction, no matter how great the public necessities may be. That is a position of affairs which requires serious consideration. We have, it is true, a large nominal income; but our fixed charges are so great that our exceedingly small reduction of our gross income, say a reduction of ten per cent., would involve a reduction of fully thirty per cent., perhaps more, of our net income. That is a position of affairs which, I think, should call for very serious consideration on the part of the Government and the House, and should make the Government exceedingly chary about going on and increasing further the expenditure—particularly the expenditure of a fixed character which, as I have said, it is almost impossible for them to reduce. Moreover, we must bear in mind that there are certain risks ahead. It is quite true that at present—no thanks, in my judgment, to the hon. gentleman's policy—in consequence of the extraordinary development of certain industries of ours, over which they could exercise no sort of control, we have a considerable surplus; but we can recollect when in 1879 the total products of the forest amounted to barely \$13,261,000, while in all probability this year, judging by the returns which have been published, they will equal \$27,000,000. Here is a very large accession

to the power of the public to purchase goods from which a revenue may be derived, and I do not think that the most thorough-going protectionist will dare assert that this most important factor in our present prosperity is in any shape caused by the success of the hon. gentleman's policy. All they have ever dared to claim as regards the lumber trade is, that it has not suffered so severely at their hands as we contend. That is all they have ventured to claim, and yet it is from the great growth of the lumber trade that the greatest part of the new income which he expects to receive will be derived. So that we know perfectly well that one or two indifferent harvests would largely reduce the purchasing power of our people. We know, too, that even the success of his policy may largely reduce the revenue he expected to derive from it, for, as he stated in the Budget speech, if the people were to go into the manufacture of goods on which he imposes taxes, a serious reduction of the imports, and therefore of the revenue derived from those imports, might be expected. It is not beside the question to compare our position in some important respects with the position of the United States. At the present moment, our annual indebtedness is increasing at the rate of from ten to eleven millions per annum according to the Estimates of the hon. gentleman. Now, I find from President Hayes' address to Congress, that on the 1st December the United States debt amounted to \$1,886,000,000, which debt was being reduced to the extent of 60 or 70 millions, so that on the 1st of July, 1882, the debt of the United States will be about \$1,750,000,000. Our net debt at that date, according to the estimates of the hon. gentleman, will be \$175,000,000, and the result will be that with a population of 4,000,000, as against a population of 50,000,000, we will have a very considerably larger debt per head than the Americans have to bear; while it is also true that, estimated per *capita*, our total expenditure would be considerably larger than the American expenditure as estimated by the Secretary of the Treasury. The proportion will probably be something like twenty per cent. more than the American expenditure.

Mr. PLUMB. No.

Sir RICHARD J. CARTWRIGHT. I am speaking from the American returns. I think I know what I am talking about and I require no correction from the hon. gentleman. It is out of the question to suppose that this comparison will not be made to our serious disadvantage; and it is another reason for the reduction of expenditure and the exercise of more prudence than they have shown in increasing these enormous commitments. As to the excuse they make that they have plenty of money and that therefore they are justified in expending it, that excuse is totally fallacious. That money is got by unjust and oppressive taxation, which they ought to reduce; and, in the next place, poor as that excuse may be, even if it were an excuse for adding to our ordinary expenditure it is no excuse for adding to our fixed charges. They are but pursuing their old policy which resulted in seven years in nearly doubling the total amount of expenditure of the Dominion. We remember when these gentlemen raised our expenditure from \$13,500,000 to \$23,500,000; when they left behind them legacies of debt which involved an addition of several millions to the annual expenditure, so that it was no wonder, when the period of depression arrived, that we were met with a succession of very serious difficulties. Without further prelude I move in amendment:

That Mr. Speaker do not now leave the Chair, but that it be resolved, That the expenditure for the year 1878 was \$23,503,158.—That the expenditure for the year 1880 was \$24,850,634.—That the Estimates for the year 1882 amount to \$26,475,680.—That a very large proportion of this expenditure consists of fixed charges, or of charges of a permanent character, which when once created are either incapable or very difficult of reduction.—That recent legislation and the completion of existing engagements will result in a steady increase of the fixed charges within the

next few years.—That experience has shown, that the consequence of rapidly increasing the fixed charges is to produce great embarrassment in the public finances.—That the House views with regret the proposal of the Government to expend for the year 1882, \$1,615,018 more than the expenditure for 1880, and \$2,962,494 more than the expenditure for all purposes in 1878.

Sir LEONARD TILLEY. It might be a sufficient answer to the hon. gentleman to repeat the statement I have made on former occasions with reference to the taxation of the people of Canada to day as compared with their taxation in 1874-75, 1875-76 and 1876-77. I made the statement distinctly, and my statement has not been controverted except in an indirect way by stating that my calculation was based on an excessive population at the present time. But if I take the estimate of the leader of the Opposition, in the speech he made last year, of 4,050,000 as the population, it will be found that the expenditure of the present year, based upon that estimate, will show that the expenditure of the present year is not at all undue. From that I deduct the surplus, because I assert most distinctly that as we have this surplus on hand and not expended, we should deduct it to show what our actual expenditure has been. The hon. member has compared our taxation to that in the United States. Now, if read right, the public expenditure last year in the United States, as shown in their Public Accounts, deducting the surplus they had for the liquidation of a portion of their debt, and deducting our surplus, I think the hon. member is wrong in stating that our taxation is 20 per cent. higher. I think he cannot establish it from the Public Accounts of the two countries. But when we are considering the taxation of Canada we should bear in mind a fact that was stated by an hon. member in this House during the present Session, that a large portion of the expenditure of the Dominion goes to the Provinces, and saves the people of the Provinces from a local taxation that has to be paid by the people of the several States. But there is another distinction to be drawn between the causes that produced the public debts of the two countries. I might, if I had it before me, quote the language which the hon. gentleman who has just spoken, used in London when he was asking for a loan there, and when he said the debt of Canada was mainly contracted in public works which were directly or indirectly remunerative. The hon. gentleman has called attention to the Supplementary Estimates now submitted. He says that for the current year we are asking for \$264,000 in addition to the Estimates that had been previously laid on the Table of the House. What is the fact with reference to that? My statement was that, as compared with the estimated income, the Estimates of the current year amounted to an expenditure of only \$64,000. Why? Because of the \$264,983 in the Estimates chargeable to Consolidated Revenue, \$200,000 is an additional sum required which was not voted. For the management of the Intercolonial Railway, \$1,600,000 is required, because the business of the country has happily increased, and the business of the road has required this increased expenditure in the management. But while we have to provide for an increase of \$200,000 in the working of that road, we have, from the increased business, more than \$200,000 of revenue in excess of what was estimated by the Public Works Department twelve months ago; so that, as far as the balance is concerned, we are practically in a better position than was represented in the statement I made. This shows the difference between the actual position and the statement I made six weeks ago. The position now is effected to the extent of \$64,000, and no more. With reference to the Supplementary Estimates, many applications were made for expenditures of various kinds all through the Dominion, especially after it became known that we were likely to have a surplus of \$2,000,000. The result was that when we considered the Supplementary Estimates we had before us something like \$800,000 in addition. If we

take from the \$285,000 the \$59,000, and \$25,000 more that was in the Estimates, and that is not now considered necessary, it will leave only \$200,000—just the sum I estimated would likely be required in the Supplementary Estimates. Consequently, about \$64,000 is added to the estimated expenditure of the current year, which I am satisfied, from the returns as they still come in, will leave us, notwithstanding this and other expenditures for the current year, a surplus of \$2,000,000. The hon. member has called attention to the expenditure for 1877-78, and to that proposed for 1881-82, and then he speaks of the increase that has grown out of that. Well, Sir, if the hon. member came into possession, for instance, of a railway, to-morrow, and that railway required him to expend \$500,000 a year in its management; if he received but \$500,000 in return, it is quite true that, at the close of the year, he would not be better off than at the commencement. But, suppose a person should say to my hon. friend: "Your expenditure was \$10,000 last year," and, suppose my hon. friend would say: "I have a revenue coming in equal to that, I am in as good a position as before." That is about our condition, as I pointed out the other day. For instance, take the Post Office item by way of illustration. The receipts of the Post Office Department for 1876 were \$1,114,000, and for 1877, \$1,705,000, showing a difference of \$590,366; but the expenditure rose from \$1,705,000 in 1876 to \$1,818,000 in 1877; but the increase in receipts was more than equivalent to the increase in expenditure, the difference being \$565,773. Last year it was \$590,366. That fact affords hon. gentlemen opposite an opportunity to point to the extravagance of the Government, while they are giving accommodation to the people, expending more money, receiving more money, and having a less balance against the country than before. With respect to the Intercolonial Railway, the Government have expended \$2,000,000 on the purchase of the Rivière du Loup Branch. They have been called upon to pay not only the interest and sinking fund on the debt, but they had to increase the cost of management on the 120 additional miles. The Government have, moreover, during last year, opened almost 100 miles of railway in the North-West. That, of course, involves increased cost of management. As to the Intercolonial there is no longer the half million average yearly deficit of hon. gentlemen opposite, but the Government receive a sum sufficient to pay the expenditure, and that circumstance has enabled them to reduce taxation. Hon. gentlemen opposite entered into engagements and increased the public debt, and since the present Government took office, the interest on debt and sinking fund was increased by \$1,250,000 for the year to which the hon. gentleman referred for comparison. The present Government have increased the expenditure on public works, and on canals, although they hope in coming years to receive an increased income from these sources. Hon. gentlemen opposite never give us credit for additional receipts, and in discussing public questions before the country they point out that the expenditure has increased; but the amount of taxation per head of the population on which the increased receipts have a bearing, is never placed before the House and the country. By the transfer of the Pembina Branch to the Syndicate our expenditure will be reduced, but our receipts will also be diminished. Suppose we were to turn to hon. gentlemen opposite and say: "We have diminished the expenditure by \$100,000 in the last year." They would retort that it was due to the transfer of the Pembina Branch, and that while the expenditure would be reduced, the receipts would also decline. That is our answer to the argument of the hon. gentlemen opposite. The test by which the Government wish to be tried is what Excise and Customs duties are necessary to meet our expenditure. We place ourselves on that platform, and assert that, though we have taken money out of the people's pockets, it has

Sir LEONARD TILLEY.

been placed in the public treasury, and that the rate of taxation to-day, if compared with 1874-5 and 1876, is not so great according to the population. On that platform we stand, no matter how hon. gentlemen opposite may resolve for the purpose of affecting the country. The people will understand it, and will approve our position, for we can show that, per head of the population, we have not increased taxation, while we have developed the country, affording increased facilities for postal and railway service.

Mr. RYKERT. I feel it important, in view of the grand banquet to come off in Montreal and of the approaching election in East Northumberland, to make a few comparisons nearer home than the United States. The hon. member for Centre Huron (Sir Richard J. Cartwright) has seen fit to make comparisons with figures drawn from the United States. I propose to make a comparison with the hon. gentleman's own figures, and see how the balance will stand as far as the Government is concerned. The hon. gentleman and his party in the early part of this Session, and on the first vote of want of confidence, attacked the question of the Pacific Railway. Their stock-in-trade was that the Government had thrown away from \$50,000,000 to \$100,000,000. Finding the country did not recognize the importance of their statements, hon. gentlemen adopted a new rôle. They found fault with the surplus, and complained that an enormous amount of taxation had been imposed this year. They complained of the surplus, for having had deficits during five years, they felt annoyed that a Government should be found equal to the emergency, and able to produce a surplus during the coming year. Many of the hon. gentlemen were trying to play the old rôle and complain of taxation. It seems extraordinary that the ex-Minister of Finance should on every occasion, when he speaks on financial affairs, whether in this House or in the country, make the statement that the Government of Sir John A. Macdonald during the seven years succeeding Confederation had increased the national debt by thirteen and a-half millions, especially when it is known that he and his Government during their five years of office increased the public debt from \$99,948,461 to \$140,362,069, or an increase of over forty millions. He neglects to tell the House that he increased the interest on the public debt from \$5,081,473 in 1873, to \$6,553,314, when he went out of office. Now, let us compare the figures and see how the balance-sheet stands. If these hon. gentlemen had anything to complain of, we should have heard them at the Public Accounts Committee, when investigating the expenditure of the year ending June, 1880. After ransacking the Public Accounts for months, they discovered something like \$17,000 in various items for last year to which they have taken exception, and all their complaints have finally culminated in an attack on the hon. member for Niagara because \$125 was spent for the publication of his speeches. Now, the estimated expenditure in 1873-74 was \$31,003,433, of which the Government proposed to expend \$9,974,240 on Public Works chargeable to capital. In 1878-79, the last year of the régime of these hon. gentlemen, they asked for \$39,334,382, of which they asked only \$8,305,900 for Public Works. The present Government propose to expend, in 1881-82, \$43,467,626, of which \$14,213,850 will be expended on capital account, an excess of \$5,912,950 over 1878-79. The total excess in the expenditure of 1881-82, over that of 1878-79 is \$4,153,243, showing that the actual expenditure of the Government in 1881-82 will be \$1,279,707 less than that of 1878-79, when the large item for capital account in excess of 1878-79 is taken into consideration. Now, the estimated expenditure charged to the Consolidated Revenue Fund for 1881-82 is \$26,189,896, while that for 1878-79, the last year of the hon. gentlemen opposite, was \$23,699,073, or an increase of \$2,489,823. What are the causes of that increase? It is made up as follows: Public debt, \$1,288,727; management, \$32,108, for which the late Government

is almost wholly accountable; the census, \$200,000; public works, \$257,824; ocean and river service, \$119,879; subsidies to the Provinces, \$36,633; Indians, \$157,767; public works chargeable to capital, \$141,911; and post office, \$176,500; or a total of \$2,411,379, or a difference of \$78,444 over the expenditure on account of the Consolidated Revenue Fund over 1878-9. That is the total increase, notwithstanding so much has been done by this Government to develop the country and extend our public works. Now, let us compare a little further. We find that in 1878 the total amount of revenue was \$22,375,011, and the cost of collection, \$5,301,124; whereas in 1880 the total amount of revenue was \$23,307,406, and of collection, \$5,227,113; showing an increase in the revenue in 1880 of \$932,395, and yet a decrease in the cost of collecting it of \$71,011. By making a further comparison we find that the cost of collection has been largely increased by hon. gentlemen opposite, and largely decreased by hon. gentlemen on the Treasury benches. In 1873-4 there was collected from Customs and Excise \$17,414,845, and the cost of collection was \$739,469, or \$4.24; in 1878 there was collected \$17,641,495, and the cost of collection was \$929,571, or \$5.28; and in 1880 there was collected \$18,303,770, and the cost of collection was \$935,410, or \$5.11, or 17 cents less than 1878. Now, we find that the total expenditure on account of the Consolidated Fund in 1878-9 was \$24,445,381, and in 1879-80 \$24,850,634, or an increase of \$394,253; but recollect that the charges on account of the public debt amounted in 1878-9 to \$11,952,641, and in 1879-80 to \$12,659,657, or an increase of \$707,026, brought about by the extravagant conduct of hon. gentlemen opposite, showing a difference in favor of this Government of \$312,773, when the amounts for which the late Government are responsible are taken into consideration. I know these hon. gentlemen do not care to hear these figures, but I thought it would be well to let them have them in time to digest before they go on any of their missionary tours. The ordinary expenditure of 1880 was \$6,963,852, and the charges on account of revenue \$5,227,113, or a total of \$12,190,965. In the year 1878-9, the last year of the late Government, the ordinary expenditure was \$6,941,577, and the charges on account of revenue, \$5,561,562, or a total of \$12,502,739, showing a difference in favor of 1880 of \$411,774. Comparing the ordinary and controllable expenditure of the first three years under Grit rule, and the past three years under Conservative rule, we find that in 1873-4 the ordinary expenditure was \$8,324,076; in 1874-5, it was \$7,868,690; in 1875-6, it was \$8,569,714; showing a total of \$24,762,540; while in 1878-9 it was \$6,941,577; in 1879-80, \$6,963,852; and in 1880-1, \$7,718,968; or a total of \$21,624,397, thus showing a difference in favor of this Government of \$3,138,143. These hon. gentlemen have, as before stated, increased our national debt by \$40,413,638, and the interest has increased from \$5,081,473 to \$6,553,314, owing to the increase of that debt. Taking the five years of the Government of Sir John A. Macdonald, prior to the accession to power of hon. gentlemen opposite, we found that while the former spent for Civil Government \$3,507,110, the latter expended \$4,525,262, showing a difference in favor of Sir John A. Macdonald's Administration of \$1,021,152. We recollect that while these hon. gentlemen were going about the country on their missionary tours, one of their texts was the great number of clerks to be found in every direction in all the Departments; and we naturally expected, after the speech of the hon. member for Lambton in propounding the policy of his Government of which retrenchment was to be the distinguishing feature, that his Government would at once reduce the number of clerks. But what do we find? In 1873-4, 334 clerks were employed against 402 in 1878-9, a large increase as the result of their Administration. And if the hon. member

for Centre Huron had had his own way, what would have been the result? He proposed to increase the salaries of all civil servants—starting with \$500 instead of \$400—but the Bill was withdrawn through the moral suasion of his own friends. Otherwise we would have been in a worse state of poverty than even that in which we were when he stood helplessly by, arms folded, confessedly unable to remedy the situation. Take the item of contingencies, a very important item, and one that is no doubt fresh in the recollection of hon. gentlemen opposite. I recollect when these hon. gentlemen had a sort of "squeeze out" at Belleville; the champagne cost \$300. For a long time it was difficult to find to what this expenditure was charged, but finally we found it was put among the dusting accounts of charwomen and dusters. During the last three years of their administration, hon. gentlemen opposite expended on contingencies, \$510,000; during the past three years this Government has expended \$414,250, showing a saving in its favor on this item of \$95,750. On looking over the expenditure of this year compared with that of 1878-79, we find that in ten important items of controllable expenditure the Government has saved \$237,133, to which no reference is made by these fault-finders, which fact alone shows that the Government has an eye to economy. No doubt hon. gentlemen opposite, with their honest sincerity of purpose, will place before the people these figures that I have quoted. What we desire is a fair comparison of the acts of the present Government compared with those of their predecessors. We want these gentlemen, who have so loudly proposed economical principles and dilated on the extravagance of the present Government, to place these facts before the country fairly and squarely. Let the people judge both Administrations by their acts. Notwithstanding all that has been said by the hon. member for Centre Huron, I cannot find, during the five years of his term of office, any development of the great interests of the country, whereas now in every direction there are all the indications of vital prosperity. I think that the hon. member for Brant, when he discusses the question of imports and exports, will come to the conclusion that the result of the policy of the Government has been not only to economize but to reduce the burdens of the people.

Mr. PATERSON (South Brant). The hon. gentleman (Mr. Rykert) has given us some figures to deal with in regard to the expenditure of the late Government. I will just give him a conundrum to study. The present Government, according to him, have been making extraordinarily great savings, apparently, as compared with the late Administration. We take that for granted, because the hon. gentleman has said so. But we do know they have increased the rate of taxation enormously, taking much money out of the people's pockets, and we still find them with as large a deficit as occurred under the preceding Administration. My query is—where has the money gone.

The motion was rejected on the following division:—

YEAS :		
Messieurs		
Anglin,	Geoffrion,	Paterson (Brant),
Bain,	Gillies,	Rinfret,
Blake,	Gillmor,	Robertson Shelburne),
Borden,	Haddow,	Rymal,
Brown,	Holton,	Skinner,
Cameron (Huron),	Killam,	Snowball,
Cartwright,	Macdonell (Lanark),	Sutherland,
Casey,	McIsaac,	Thompson,
Casgrain,	Mills,	Trow—29.
Dumont,	Olivier,	
NAYS :		
Messieurs		
Arkell,	Girouard (Kent),	Patterson (Essex),
Bannerman,	Grandbois,	Plumb,
Benoit,	Haggart,	Pope (Compton),

Bergeron,  
Boulduc,  
Boulbee,  
Bourbeau,  
Bowell,  
Brecken,  
Bunting,  
Cameron (Victoria),  
Carling,  
Caron,  
Cimon,  
Coursol,  
Daly,  
Dawson,  
Desjardins,  
Farrow,  
Ferguson,  
Fitzsimmons,  
Gault,  
Girouard (Jac. Cartier),

Hesson,  
Hooper,  
Jones,  
Kaulbach,  
Kirkpatrick,  
Landry,  
Langevin,  
Macdonald (Sir John),  
McDonald (Pictou),  
Macmillan,  
McCallum,  
McCuaig,  
McLennan,  
McRory,  
Manson,  
Methot,  
Mousseau,  
O'Connor,  
Ogden,

Poupore,  
Richey,  
Rouleau,  
Royal,  
Rykert,  
Scott,  
Sproule,  
Stephenson,  
Strange,  
Teller,  
Tilley,  
Valin,  
Vallée,  
Vanasse,  
Wade,  
Wallace (Norfolk),  
Wallace (York),  
White (Hastings),  
Williams.—67.

House in Committee of Supply.

SUPPLEMENTARY ESTIMATES.

Different expenses in connection with the Indian Service, for the year, Manitoba and the North-West ..... \$256,302 00

Sir RICHARD J. CARTWRIGHT. What is the explanation of this proposal?

Sir JOHN A. MACDONALD. There has been no distinct separate vote for this service before. It is intended, among other things, to provide for the cost of farming instructors for the Indians. The item is severed this year from the others for the North-West service. Arrangements have recently been made in connection with the farm instructors to prevent, if possible, further destitution among the Indians. We propose to reduce the item to \$168,079, a saving of \$44,302. The item includes \$125,191 for destitute Indians, \$90,000 of which are already spent.

Sir RICHARD CARTWRIGHT. Is the hon. gentleman sure he is making no mistake in dealing with these items?

Sir JOHN A. MACDONALD. There is no mistake.

Mr. MILLS. I asked information, and was promised it a few evenings ago, in reference to the products of the farms. Cannot the hon. gentleman tell us the result of the farming operations with the Indians?

Sir JOHN A. MACDONALD. I do not think so.

Sir RICHARD J. CARTWRIGHT. I do not think the Report of the Department of the Interior has been generally distributed; but from my cursory examination of it there appears a general complaint, on the part of the agents, that the land assigned to the Indians was largely under water—where the fault lies I do not know. If we are to do anything for those unlucky Indians, they must have dry land to practice on.

Sir JOHN A. MACDONALD. No doubt.

Sir RICHARD CARTWRIGHT. So far as I can judge, they make a demand themselves, and it ought to be specially looked at.

To defray expenses incurred by the Pacific Railway Commission ..... \$12,500 00

Sir RICHARD CARTWRIGHT. Details were to be given in regard to this item.

Sir LEONARD TILLEY. There was some question asked as to the time these parties were employed.

Sir RICHARD CARTWRIGHT. And as to their salaries.

Sir LEONARD TILLEY. That is \$5 a day and expenses—the only salary that has been paid. The Pacific Railway Commissioners have been sitting every business day from the beginning of July last year, excepting the time required to go to and from Maui—  
Mr. PATERSON (Brant).

toba. In reply to another remark by the leader of the Opposition, the Chairman says that he has arranged with Mr. Dumble, a barrister, for the performance of his County Court business, at a rate of compensation agreed upon between them. Mr. Miall, while the Commission was sitting, has spent part of his time in the Commission and the remainder in his Department.

Mr. BLAKE. If part of the vote is to be spent in paying salaries, I think we should know how much is to be expended in that way.

Sir LEONARD TILLEY. We will give the information on concurrence.

Committee reported; and (at 1:55 o'clock, a.m.) the House adjourned.

HOUSE OF COMMONS.

THURSDAY, 17th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SUPPLY—CONCURRENCE.

House further considered resolutions reported from Committee of Supply.

On Resolution No. 251 (16th March).

Amount required to cover expenditure incurred by Pacific Railway Commission..... \$12,500 00

Sir LEONARD TILLEY. The same compensation is fixed for members of this Commission as was decided by Order in Council, with respect to the Civil Service Commission, namely, \$10 per day, for the two Commissioners, Judge Clarke and Mr. Keefer, who are not in the Civil Service, and Mr. Miall, a member of the Civil Service, \$3 per day, and the Secretary \$5 per day.

THIRD READINGS.

The following Bill was considered in Committee, reported, read the third time and passed:—

Bill (No. 96) to amend and consolidate the laws relating to Government Railways (from the Senate)—(Mr. McDonald, Pictou).

The following Bill was read the second time, considered in Committee, reported, read the third time on a division, and passed:—

Bill (No. 100) to provide for the allowance of drawback on certain articles manufactured in Canada and used by the Canadian Pacific Railway Company.—(Sir Leonard Tilley).

MONTREAL HARBOR COMMISSIONERS.

Sir LEONARD TILLEY moved the second reading of Bill (No. 101) to amend the Act 36th Victoria, Chap. 60, respecting the Lake St. Peter debt.

Mr. LANGEVIN. The other day when this Bill was under discussion, the members for Montreal were accused of having neglected its interests in this matter. In justice to those hon. gentlemen I must say that they had more than twenty interviews with me on the subject, and wrote me, I believe, about forty letters each, working as hard with all my hon. colleagues. If that is neglecting the interests of Montreal, I hope they will be as much neglected in the future.

Mr. GAULT. I regret exceedingly the smallness of the measure meted out to Montreal on this occasion, and that

the Cabinet have not seen their way to assume the whole of the debt incurred in deepening the channel to Montreal, which would have been but a simple act of justice. That debt was incurred for the benefit of the whole Dominion. There is not a bushel of wheat that passes through that channel to Quebec that is not taxed three or four cents on account of that debt. I hope the House, next Session, and the Government, will relieve the Harbor Commissioners of this Lake St. Peter debt.

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

#### CONSOLIDATED RAILWAY ACT.

Mr. McDONALD moved that the House resolve itself into Committee on Bill (No. 84) to amend the Consolidated Railway Act (from the Senate) as amended in Committee of the Whole. He said: At the last sitting of the Committee, sections 1 and 2 of this Bill were passed; but some doubt was expressed as to the meaning of section 3, which was intended to make clear an apparent doubt in sections 10 and 11, and explain their operation. Instead of section 3, I propose a clause somewhat clearer in language, the meaning intended to be conveyed being this: That until Parliament exercises its prerogative under this section, the Governor in Council may fix and regulate the tolls under section 10; Parliament, of course, having it in its power at any time to exercise its functions with reference to the power given it in section 11. I also propose to amend sub-section 2 of section 3, by adding to the end of the clause requiring returns, these words: "And shall, in addition to the information contained in the schedule, contain such other information and returns as shall be required by the Governor in Council." That will enable the Governor in Council to require a modification of the schedule, to procure such other information as may be required.

Mr. BLAKE. To the second amendment there is no objection; but as to the first, it appears to me that the clause the hon. gentleman now proposes to amend meant something, while it is rather doubtful if this clause means anything. I, however, think the hon. gentleman and myself are agreed in a view which renders that clause unnecessary and perhaps harmful; because I have always contended—and I have never heard any asseveration to the contrary in the course of the debate—that this sub-section has the effect of giving unlimited power to the Governor in Council to revise the tariff of tolls. It is a singular, and perhaps an anomalous position that the power of Parliament should be limited, while that of the Governor in Council is unlimited. It is not proposed to change that anomaly, and if it were to be changed it ought to be changed by rendering the powers of Parliament more extensive, but the hon. gentleman now proposes to limit, to a certain extent, the powers of the Governor in Council by saying that as soon as Parliament exercises any control over these rates, the power of the Governor in Council shall cease altogether. If we are agreed as to the construction of the 10th and 11th clauses, as I think we are, why not leave the power of the Governor in Council as it is?

Mr. McDONALD (Pictou). It appears to me that there will be no need for the exercise of the powers which are granted to Parliament until the Governor in Council declines to fix the rates, and thereby in the opinion of Parliament fails to do justice to the community. I agree with the hon. gentleman that it is rather a curious anomaly that the powers of Parliament should be limited by Statute with those of the Governor in Council, and that it certainly looks as if the phraseology might be so construed. But I think greater certainty might be given to the construction by the clause I propose, and that no harm

can be done by it, because Parliament in exercising the power given by this clause can modify and control the rates under the terms of the 11th section, as circumstances may warrant, and can also if it is thought proper review the form of the 10th section which we are now re-enacting. So as the Governor in Council did his duty by fixing rates which could be justified to Parliament, there would be no occasion for Parliament to act.

Mr. BLAKE. My argument is that you are producing this result. Once Parliament has acted under the 11th section, by your restriction you take away the power of the Governor in Council to act thereafter. The clause should be made clear, if it is not clear; but I do not wish to deprive the Governor in Council of the continuing power which it has under the 10th clause, but so soon as Parliament has acted, under this provision, that power will cease.

Mr. McDONALD. I have no objection—after consulting with my colleague—in deference to the feelings of the hon. gentleman and of the House on the subject, to strike out the third sub-section altogether.

Bill reported.

Mr. McDONALD (Pictou) moved the third reading of the Bill.

Mr. CASGRAIN moved the following amendment:

That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend it by adding the following clause:—

The thirty-eighth sub-section of the ninth section of "The Consolidated Railway Act, 1879," is hereby amended by the addition thereto of the following proviso:—"Provided always that the right to take and use water, hereby conferred upon the Company, shall not be exercised unless and until the household and farm requirements, as to water, of the proprietor of the land have been first supplied, and that the exercise of such power shall not injuriously affect such supply, the Company being entitled to take and use the surplus of the water only."

Mr. McDONALD (Pictou). I regret that I am not able to assent to the amendment for the reason that I have not been able to consult with the department so as to ascertain how it will affect the working of the road, and the general interests of the department. Had I been able to obtain the necessary information, I possibly might have been able, on behalf of the Government, to assent to the amendment, but as it is I must ask my hon. friend not to press it.

Mr. CASGRAIN. I regret the Government cannot accede to this amendment, because the Bill as it now stands, does a serious injustice to some individuals. In fact, you can no more deprive farmers of the use of water, than of air. In the instance which I desire to meet, the parties have been actually deprived of the use of water all last summer, over the extent of three farms where the gravel pit has been dug for the Intercolonial Railway. Their water was diverted entirely to the use of the engines, and farmers had to drive their cattle a distance of a mile and a half to water. The railway company might have taken water from a brook in the neighborhood.

Amendment lost on division.

Mr. PATTERSON (Essex) moved the following amendment:—

That the Bill be not now read the third time but that it be re-committed to Committee of the Whole House with instructions to amend it by adding the following clause:—

"Any railway company subject to the legislative control of the Parliament of Canada and the Council of any Municipality through which any railway subject to the legislative control of the Parliament of Canada, now does or hereafter may run, and the owners or occupiers of lands abutting on any such railway, may be authorized and empowered by the Railway Committee of the Privy Council to connect any township drain, or any drain on the lands abutting as aforesaid, with the ditches on either or both sides of such railway, or may construct under such railway any culvert or culverts that may be required to carry off the waters from such lands as aforesaid, or from the railway ditches: Provided, that such authorization shall not be given by the Railway Committee until they shall have been satisfied by the report of some

competent engineer that the road-bed of the railway will not be injured by the work so authorized—that such work shall be performed and such culverts constructed under the superintendence of a competent engineer approved by the Railway Committee—that such culverts and works shall be ever after maintained in good and efficient order by the municipality or the land owners or occupiers so authorized to construct or perform the same, and who shall be respectively liable to the company who may be proprietors of the railway for any damage they may suffer from any such culvert or work, or from any non-compliance with the provisions of this Act in respect thereof.”

He said: I move this amendment in accordance with the wishes of a number of my constituents, who are peculiarly situated in relation to the Great Western Railway which run through their farms, cutting them off from the Detroit River. Their farms are long and narrow, after the fashion of the French farms, and the railway company—not having been hitherto subject to the General Railway Act, but to the special charter and amendments from time to time made by Parliament—deny these people the privilege of draining their lands in the natural direction to the river. I think it is the duty of the Government to grant to these people the relief which is asked for by the County Council and the municipalities interested.

Mr. McDONALD. There is no doubt that the question referred to by my hon. friend is one of great importance to the county referred to. As far as I have been able to learn from the petitions and from communications with my hon. friend, the inhabitants of that district suffer very considerable annoyance from the railway company in relation to this important question of drainage. It may be, and probably is, a matter well deserving the serious consideration of Parliament; but, at the same time, my hon. friend will see there are many objections to this amendment now being made to the Bill. In the first place, it is an entirely new question—one which has not been discussed, and in regard to which the facts are not fully known—affecting the rights of the railways on one hand, and the protection of the public on the other. There is also the question of the power of this Parliament to entertain the proposed legislation. The difficulties are of such a character, as my hon. friend will see, as to make it impossible for the Government to consent to its insertion in this Bill. I hope, therefore, that he will agree for the present to withdraw his motion, and in the early part of next Session I have no doubt every consideration will be given to the grievance of which he complains.

Mr. PATTERSON (Essex). On the assurance of the hon. Minister of Justice that there are constitutional doubts as to the competency of this House to deal with the question, and that the matter will be considered next Session, I shall be content to withdraw my amendment. But if the Government do not act in this matter, I shall certainly bring it up again next Session, and leave it to the sense of justice, which I am sure reigns in this House.

Mr. MILLS. I have no doubt a serious grievance exists in this case, but I think the subjection of railway corporations to the same obligations as other landholders rests with the Local Government. If we incorporate a railway company, we do not remove it from the control of the Local Government. It holds real estate, by the same right and on the same conditions as other property holders, and if it neglects to build a culvert on its road where a culvert is necessary, or to do its proportion of any work affecting it, it can be subjected to the compulsion of the Local Government. I admit that this is a proper thing to be done, but it should be done by the Local Legislature.

Mr. PATTERSON (Essex). My first impression was, though I do not presume to have formed a definite opinion on the subject, that the Local Legislature is the proper body from which to obtain a remedy of this grievance. But I was assured, by interested persons, that, as the Great Western Railway was a Dominion railway company, the

Mr. PATTERSON (Essex).

Local Legislature had not power to interfere. I am glad to have my hon. friend's assurance, and I will take steps to communicate with the Attorney-General of Ontario on the subject.

Mr. McDONALD (Picton). Of course it is too late to discuss this point. My hon. friend is naturally very careful with reference to the rights of the Local Legislatures, but he will see that many difficulties arise in connection with his view of the question. What would be the result if he were right? The supreme Legislature of the country, having power to confer a charter upon a railway company and to give it all the powers necessary to the enjoyment of its chartered rights and privileges—the fundamental portion of which rights and privileges is the possession of land on which to lay its track—would be liable to have those rights destroyed by the Provincial Parliament. This is manifestly a question of very serious importance, and one which we have not time to discuss fully to-night.

Bill read the third time and passed.

#### THE INDIAN ACT.

Sir JOHN A. MACDONALD, in moving the second reading of the Bill (No. 103) to amend the Indian Act, 1880, said: The first three clauses are for the purpose of prohibiting Indians from selling the produce of their farms, except under certain regulations. They might sell their produce to traders for spirits, and the consequence would be that their maintenance during the ensuing winter would devolve on the Government. Complaints are sometimes made that thriftless Indians cut down valuable sugar bushes for firewood, and clauses 4 and 5 give the Governor in Council power to pass regulations prohibiting that. Clause 6 authorizes any one Judge, Judge of Sessions of the Peace, Recorders, Police Magistrate, District Magistrate or Stipendiary Magistrate to act as a justice of the peace. The next clause is to alter the clause in the present Indian Act relating to the punishment of sellers of intoxicants to Indians. Under the present law it has been held that spirits must be consumed in the wigwam, or place of abode of the Indian, and if consumed in a white man's house the Act does not apply. Clause 9 gives power of search for spirits sworn to have been brought into the reserve. Clause 10 is for the purpose of giving the Indian agent, in certain cases, power to act as a justice of the peace for the protection of Indians. The next clause provides that although the Indian Act provides that a conviction must take place on the evidence of one credible witness other than the informer, still the informer may be sworn and give corroborative evidence. It has been held that the informers testimony could not be received; but that was a wrong decision. The last clause gives the Governor in Council power to appoint assistant Indian Commissioners.

Mr. MILLS. I see no objection to the Bill with the exception of the last clause, in which power is taken to appoint assistant Indian Commissioners. It appears as if it were intended to place all the Indians, from Lake Superior to the Rocky Mountains, under Commissioners. That would be a very great mistake because the facilities for intercourse between the Indians of the various parts of that territory and the central office are very much less than between any part of Manitoba Superintendency and Ottawa. There is, however, a matter which should be provided for. There is no authority to enable Indians to sell any proceeds of their industry. Any one who purchases horses, wheat, lumber or other articles from Indians, does so at his own risk, and the articles may be claimed again by the Indians from whom he made the purchase. In many places there are Indians engaged in wheat growing, who have a surplus beyond their own requirements, and who raise cattle and horses, and yet they

have no legal authority by which they can sell them. The result is that the Indians obtain lower prices than they would do if they could make a good title. I am now speaking of what has come under my own observation.

Sir JOHN A. MACDONALD. I will consider the point before the third reading.

Mr. PATERSON (Brant). The powers taken in this Act are very stringent, but the hon. Minister probably has good cause for his action.

Sir JOHN A. MACDONALD. The Act will only apply to the North-West.

Mr. PATERSON (Brant). But some of the Indians are sufficiently advanced to grow crops, which argues a certain amount of civilization, and consequently a certain amount of manhood. My view of the Indian question is that any particle of manhood in Indians should be encouraged, and not repressed. This Bill places them in a position of absolute tutelage. I do not object, because the hon. Minister may have found an absolute necessity for it, but it is an extreme measure.

Sir JOHN A. MACDONALD. You cannot judge the wild nomad of the North-West by the standard of the Indian of Ontario. The experiment of seeking to induce Indians to settle down on reserves and change their habits is only in its infancy. In some cases the experiment may fail, that is what I fear; but I must say there will not be many. Some Indian have killed their oxen to save themselves from starvation, but sometimes from mere wantonness or disregard of the utility of the oxen in the cultivation of their farms. We have, however, had only one year's experience, and not very successful experience of the farming experiment, from the fact of the summer frosts greatly damaging the initial exertions of these people. There is great danger lest any crop which the Indians might raise should be disposed of to traders, and the Indians thus be thrown on the humanity of the whites, or on the Public Treasury. Of course, if there is a surplus, it will be used in the same way, for the benefit of the band. There is no danger of the Indians being wronged by this at all events.

Bill reported.

SUPPLY.

House again resolved itself into Committee of Supply.

276. To provide for a Saving's Bank agent at Wallace, N. S. .... \$200 00

Sir LEONARD TILLEY. This is for an additional office in Wallace, Nova Scotia, a town more than twenty miles from the shire town.

Sir RICHARD J. CARTWRIGHT. What is the population?

Sir LEONARD TILLEY. I think about 1,500.

282. Immigration and Quarantine, Quebec ..... \$3,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. BOWELL. The Minister is not present at this moment, but I believe this sum is to pay for a considerable extension which it has been found necessary to make to the sheds at Quebec, owing to the fact that cattle have now to remain in quarantine for ninety days. So inadequate has been the accommodation, that cattle have been quartered in the sheds connected with some of the fisheries.

Sir RICHARD J. CARTWRIGHT. Is ninety days quarantine absolutely required? Does not the disease develop in a shorter period than that?

Mr. POPE. It does in many cases. I can say that this was not insisted upon by the British Government, but the hon. gentleman will remember that we were entirely deprived of the power of sending our cattle to the United States, because they said: "You bring cattle from England;

we have ninety days quarantine for English cattle and you have only eight days. These cattle come into our country, consequently we prohibit your cattle altogether."

283. Amount short estimated to provide for the retiring allowances of five County Court Judges, British Columbia. .... \$266 66

In answer to MR. BLAKE,

Mr. McDONALD. This is to meet a miscalculation in arranging the retiring allowance of the County Court Judges. The Judge in whose case the former error was made, and which was corrected in the General Estimates, had been receiving \$3,000 up to within a year ago. The present Auditor-General some months ago ascertained that he had been paid all this time an amount in excess of the statutory allowance. It was brought to his notice, but he protested strongly it must have been an error in framing the Statute, inasmuch as he was to receive the sum that he had been paid continually since the admission of British Columbia into the Union, and the correspondence seemed to lead to that conclusion. But this is not with reference to that question at all, but with reference to the provision made for the retiring allowances of the Judges.

Mr. BLAKE. My recollection of the circumstances, connected with the fixing of the salaries, differs from that of the hon. gentleman, I think it will be found, from the old correspondence, that the amounts paid were unequal in this respect, that one of the Judges was sent from time to time to the upper country when the climate was more vigorous, and when a higher scale of expenses was allowed in consequence of the increased cost of living. But that extra allowance did not belong to his office permanently, but only belonged to him while he was in the upper country. Consequently, I doubt that he is entitled to the retiring allowance, because it was put on at the time he was temporarily in the upper country.

285. Additional subsidy to steamer between Grand Maize, N. B., and the main land ..... \$1,500 00

In answer to Sir RICHARD J. CARTWRIGHT,

Sir LEONARD TILLEY. The original vote was \$1,500, and was for mail communication with the County of Charlotte and the Islands. This is for the purpose of extending steam communication with the city of St. John as well as the County of Charlotte and the Islands, for which this additional sum is asked for.

286. Steam communication from Port Mulgrave, at the terminus of the Eastern Extension Railway, to East Bay, Cape Breton ..... \$6,000 00

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. McDONALD. The road called the Eastern Extension, leaving New Glasgow in the County of Pictou, is extended to the Gut of Canso, a distance of eighty miles. This is for steam communication direct from the terminus of the road, through St. Peter's Canal into Bras d'Or Lake, and thence to East Bay, a distance of thirteen miles from the town of Sydney. That gives direct steam communication from Halifax or any other point to within thirteen miles of the town of Sydney, and that is the only stage conveyance in that distance. Until this road was finished the only communication was either by stage from New Glasgow, or in the summer time, by steamer from Pictou through the Gulf into the Gut of Canso, and thence by stage to Cape Breton. The contract is only made for one year, the experiment being tentative.

290. To provide for a subsidy of \$1,500 a voyage for five voyages, of steamers from Prince Edward Island to Great Britain and back ..... \$7,500 00

In answer to Sir RICHARD J. CARTWRIGHT,

Sir LEONARD TILLEY. This is to some extent an experiment. No engagement has been made with any

line of steamers yet. One steamer made one or two voyages from the Island to Liverpool, but the experiment did not pay sufficiently to induce it to make it permanent. No formal proposal has been made to the Government, but it is expected that an arrangement will be made for placing a steamer on that route, which will make five trips from the Island to England and back during next summer, for the conveyance of the products of the Island, especially cattle.

Sir RICHARD J. CARTWRIGHT. Will Prince Edward Island be the terminus, or will the vessel come to other points, touching at the Island?

Sir LEONARD TILLEY. There is no stipulation that it shall not go elsewhere. It is merely to afford accommodation to the farmers of the Island to ship their produce.

292. Intercolonial Railway—Rivière du Loup  
Branch Rolling Stock (re-vote, \$150,000)...\$291,600 00

Sir RICHARD J. CARTWRIGHT. I should like to know what has been the total amount expended in providing rolling stock for this branch, and how much more is likely to be required.

Mr. POPE (Compton). This vote is to complete the purchase of rolling stock. Up to the present time, very little money has been paid for rolling stock on this branch. With this vote it is proposed to purchase: Engines, \$67,900; three engines, \$39,000; three first-class cars, \$15,000; three second-class cars, \$8,400; four conductor's vans, \$2,800; six cattle cars, 3,960; 112 box cars, \$73,920; 120 flat cars, \$57,600, and 50 coal cars of ten tons each, \$33,000, making, in all, \$301,580, of which \$10,000 has already been expended, leaving a balance of \$291,580. In 1877 the expenses of running this road amounted to about \$1,800,000, whereas last year they amounted to something over \$1,300,000, being a diminution of nearly half a million dollars. A good deal of this is brought about by economy in the management of the road. My hon. friends opposite may say that the road is not in as good a condition; but the best engineers and men who have examined it thoroughly say that it was never in a better condition than it is to-day. It is represented to me by the engineers that this is the last year that we shall experience a loss in the running of the road. The total loss last year was about \$90,000; but during the last half of the year there has been a profit of something over \$20,000; and we hope in the future to be able to run it at a small profit. I think, therefore, that hon. gentlemen opposite ought to give us some credit for what we have done.

Sir RICHARD J. CARTWRIGHT. I shall be very glad indeed, if the expenditure of the road is made to come within its income, and the road, at the same time, kept in good order. As to the reduction in the expenditure during the administration of my hon. friend from Lambton (Mr. Mackenzie) very large sums of money, expended for steel rails, which might very well have been charged against capital, were charged to Revenue Act. From the estimates in my hand, I should say that if allowance were made for the expenditures so incurred, there would be extremely little difference between the actual expense of the Intercolonial Railway, as now administered, and as he administered it.

Mr. POPE (Compton). My hon. friend will find that in 1879 the working expenses, steel rails not included, were \$1,841,000.

Sir RICHARD J. CARTWRIGHT. I am not aware the hon. member for Lambton administered in 1879.

Mr. ANGLIN. I had hoped we would have had an opportunity earlier in the Session to discuss this whole question of the management of the Intercolonial Railway. It is a subject that occupied a good deal of our attention last Session, when very extraordinary statements were  
Sir LEONARD TILLEY.

made respecting the amounts saved under the present Administration. Hon. gentlemen opposite endeavored to draw a contrast between the management of the road under this and the late Administration, very much to the advantage of the former. Had the hon. Minister of Railways and his friends chosen to confine their claims to the amounts actually saved by certain reductions of salaries, and by the dismissal of certain officials, there would have been nothing to complain of. For anything in the way of economy effected by the Administration, hon. gentlemen on this side are always prepared to give the Government the fullest credit, but when we are told that in consequence of those economies so large a sum as \$500,000, \$600,000 or \$700,000, was saved, we are compelled to question the accuracy of a statement so monstrously absurd. The deficit in 1878-9, the first year in which the present Administration managed the road, was the largest of all the deficits. I do not say the Government was to be blamed for that; I simply mention it as a matter of fact. We find that the late Administration added to the work of expenses the cost of putting down steel rails on the whole of the roads in the Lower Provinces, amounting to nearly a million dollars, and that expenditure, which they might as well have charged over ten years, they charged over five years, making \$200,000 per year, and those five years expired last year, 1880. Up to that time, therefore, \$200,000 a year was charged which was not charged in the accounts of the following years, making a reduction, not a saving, of that amount for which this Government are not entitled to any credit, although they considered it in their comparison of expenditure. There is another item that entirely escaped the observation of hon. gentlemen opposite, and that is the narrowing of the gauge of the roads in the Lower Provinces, rendering it necessary to reconstruct the whole of the rolling stock. In the course of that reconstruction, it was found that some of the locomotives and cars would not be worth the cost of narrowing to render them fit for the new gauge. They were, therefore, condemned, and new locomotives and cars constructed in their stead. The cost of fitting the new stock to the old gauge was \$100,000 per year for several years, including the last year in which the hon. member for Lambton had charge and the first year of the present hon. Minister. Anyone who chooses to look into the accounts will find that, in the first year of the present Administration, there was extra expenditure necessitated through the change in the law which required all the bridges to be elevated. You will find that the deficits are made up of these several expenditures, and on looking carefully into the savings effected, they will be found to consist mainly of the dismissals of a few officials, and the cutting down of a few salaries. Hon. gentlemen opposite have no right to claim the saving of any such sum as \$500,000. It is a question whether there has been any good management, and whether the economies claimed by hon. gentlemen opposite have been true and real; and it is a question whether the rolling stock has not suffered in consequence of those economies. Last year I was able to show that at a time when there was a great quantity of rolling stock, the hon. Minister of Railways had no less than twenty-one locomotives standing in the workshops awaiting repairs, when several others in use were very unfit for service. Those facts should be known, and should prevent the boasting of Ministers as to the extraordinary success of their management of the road. Then the hon. gentleman boasts that the roadway was never in better condition. Now, we had an unfortunate accident a very short time ago between Sussex and St. John, caused by the spreading of the rails, which never would have occurred had the road been in proper condition. The rails separated because the sleepers were too old; the spikes drew, I suppose, and did not hold them. The cause of the drawing of the spikes was, probably, that the sleepers could no longer hold them. A

deplorable accident consequently occurred, occasioning much damage of property and some loss of life. It is a question whether this accident was or was not the result of this wonderful economy. Similar accidents occurred in Prince Edward Island, where it was said the spreading of the rails was owing to the rottenness of the sleepers. The Superintendent of that Island road was dismissed a short time after the accident. It was evident it was necessary to find a victim somewhere, upon whom to throw the responsibility. But we have found since, however, that he was a young man in the prime of life, notwithstanding all the doctor's certificates to the contrary, and he was the Superintendent at a salary of \$1,700. If we had time to go into these accounts, I could set all the items of reduction on one side, and of increased expenditure, and all the items of damages caused by false economy on the other, and show the account would not result very much to the advantage of the Government. I have heard, moreover, that some of the salaries formerly cut down, have been restored to the old standard. Some contemptible parings have been made, one salary of \$300 having been cut down to \$140. We have had, also, the office of the Minister of Public Works and Railways divided into two offices, curtailing a large increase of expenditure, partly rendered necessary by the removal of a portion of the work from Moncton to Ottawa. I have never been able to find out what Mr. Black has done for his large salary. No such office was ever before found necessary. Putting all these things together, I think it will be truly found that the boast of economy in the management of this road has but very small foundation; in fact, that the economies claimed are, in many respects, questionable—that they reach no such result as \$500,000, \$300,000, \$100,000, or even \$50,000—that these apparent savings are the result, seemingly, of ceasing to charge to the road such sums as \$200,000 for rails and \$100,000 a year for rolling stock, and the termination of the other extraordinary expenditures I have spoken of.

Mr. POPE. The hon. gentleman has no right to make the statements heard. The expenses he has alluded to are all taken into account in calculating the cost of running the road. It happens very often, and for various reasons, that rails spread. It sometimes comes from excessive heat. I have seen rails nearly new, soon become as crooked as a rail fence, from heat.

Mr. ANGLIN. This case was in winter.

Mr. POPE. The hon. gentleman is entirely astray when he says the expenses of the road are not all taken into account in the calculations before the House.

Mr. ANGLIN. I did not say that.

Mr. POPE. I will give the hon. gentleman the figures of the expense in all cases, exclusive of the steel rails. In 1879-80 the working expenses of the road, including all the hon. gentleman has gone over, were \$1,603,429.91; earnings, \$1,506,298.48; loss of that year, from running, \$97,131.23. In 1878-9, working expenses, exclusive of steel rails, \$1,811,797.19; earnings, \$1,294,099.69; loss, \$517,685.50. Now, this account includes all the hon. gentleman has been talking about. The road now is in better order than it was at that time. But let us go a little further and see what has happened during the last six months, and whether we are as culpable as the hon. gentleman tries to make out, or whether I misrepresented the facts. During the last six months of 1878-9—the cost of running the road was \$949,031.57; earnings of the road, \$731,442.17; loss, \$217,589.40. For the six months of 1879-80, working expenses \$753,469.13. The earning of the road for the six months of 1879-80 was \$721,277.42, and the loss on running the road for these six months was \$32,191.17, as against \$217,985.40 in 1878-9. The working expenses for six months of 1880-81 were \$3891,115.42; the earnings \$917,384.73, or a profit of

\$26,269.30, as against a loss of \$217,985 for the corresponding six months of 1878-9.

Mr. ANGLIN. The hon. gentleman began his last statement by saying that he would allow the sum of \$200,000 on account of steel rails, but I pointed out that there was \$100,000 besides this required for the adaptation of the rolling stock to the change of gauge.

Mr. PLUMB. We do not charge that against the expenses of the six months.

Mr. ANGLIN. If the hon. gentleman wishes to make a fair comparison—

Mr. PLUMB. Does the hon. gentleman pretend to say that that amount should be counted as part of the expenses?

Sir RICHARD J. CARTWRIGHT. I request you, Mr. Chairman, to keep order. The hon. member for Niagara (Mr. Plumb) with his customary impertinence is deliberately interrupting the hon. member for Gloucester (Mr. Anglin.)

Mr. PLUMB. The hon. member for Gloucester is able to take care of himself without the assistance of the hon. member for Centre Huron.

House resumed.

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

#### AFTER RECESS.

House again resolved itself into Committee of Supply.

Mr. ANGLIN. As I stated before recess I did not contemplate going into a thorough review of the Intercolonial Railway, nor do I now intend, in the unhappy absence of the Minister of Railways, to impugn the management of that railway during the past year. My object was only to protest against the statement so often made and repeated on the other side, that a sum varying from \$500,000 to \$750,000 a year has been saved in the management of that road owing to the administrative skill, energy and honesty of hon. gentlemen opposite, and particularly of the Minister of Railways. I wanted to show that that statement was a manifestly and palpably absurd statement. In the first place, I protested against a comparison being instituted between the expenditures for the year ending on the 30th of June last with those for the year ending on the 30th of June previous, for the purpose of showing that the present Administration is more skilful or more economical than the Administration of the former Government, because the road during the greater part of the first of those years managed by the gentleman who is now the Minister of Railways; and I stated that the expenditure for the year ending on the 30th of June, 1879, was very much the largest ever known upon the Intercolonial. I added that I did not wish to impute any blame on the Minister of Railways, I merely directed attention to the fact, but the acting Minister of Railways chooses to make my statement the basis of a calculation by which he hopes to prove that the present Administration is so much better than the former. The hon. gentleman is entirely mistaken, for that large amount of money was made up by reason of expenditures which might fairly have been charged to income—which were necessary expenditures for the proper equipment and the putting the road in a proper condition of repair. The Minister himself refers to the fact that there were very extraordinary expenditures in that year owing to the passage of a law which rendered it necessary to make the height of all the bridges, snow-sheds, etc., on this road, so much above the top of the trains. Mr. Pottinger states that some of the wooden bridges were found unsafe, and that iron ones were substituted. In other places a large number of ties were put in, and there were many other unusual expenditures, such as ballasting, additional buildings, masonry of culverts, water works, etc., making, in all, \$214,908. Then there was an account of the annual suspense account, including charges

on account of steel rails, which was not an actual expenditure, but a mere matter of book-keeping. That and other expenditures make up \$210,674. Add these together and we have \$442,500 to be deducted from this very large sum of \$766,000, that would leave but about \$340,000. From that we have to take this other \$100,000 I spoke of as having been expended in the adaptation of the old rolling stock to the change of gauge. The acting Minister of Public Works cannot, of course, be expected to be familiar with all these matters; he has not had time to direct his attention to them, otherwise he would have mastered these facts and would not have made such assertion. But if we are to talk about the saving affected by the present Government, we must look at the expenditure under the previous Government. Here again I find in this very same report of the Minister of last year an important statement upon that point which I think will render much further discussion unnecessary. We had last year the extraordinary fact that the business of the road had decreased. Now that there is some increase the hon. gentlemen on the other side want to take credit for it. If they are entitled for the increase this year then they must be entitled to discredit for the decrease last year, by a parity of reasoning. But I do not hold them at all responsible for that decrease last year, except in so far as the operation of the National Policy must tend to diminish all trade. Despite the operation of the National Policy this year, other causes operating more beneficially have increased the revenue of the road. During the year ending 30th of June, 1879, as compared with the last year of the Administration of the hon. member for Lambton, there was an actual decrease in the receipts of over \$84,000. Yet, in the natural order of things, a railroad once open should go on increasing its revenue from year to year, because the trade would naturally flow to it in greater volume from year to year. Instead of that there was a decrease of nearly \$85,000. The Minister, in his report this summer, after accounting for the extraordinary increase of expenditure in his year, says:

"The excess of expenditure over revenue is \$766,183, as against \$432,326 in the year previous, which was the last year of the Administration of the hon. member for Lambton."

Now, Sir, I would put it to any man of common sense if there is a possibility of saving \$500,000 a year where there is a deficit of nearly \$433,000. It is preposterous to make such a statement as that. You cannot take the greater out of the less, still less can you take the greater out of the less and have a balance remain; yet that is what the hon. Minister is attempting to do; \$432,326 was the deficit of the year ending 30th June, 1878, and out of that, to ascertain the real deficit, you must take this \$200,000 of railway suspense account, which would reduce it to \$232,000. Take out the other \$100,000 on account of the change in the rolling stock, and you bring it down to \$132,000 as the whole deficit.

Sir LEONARD TILLEY. Hear, hear.

Mr. ANGLIN. The hon. gentleman may say "hear, hear," but these are the figures furnished to this House by his own colleague, a gentleman who was not at all disposed to exaggerate the merits of his predecessors. The sum of \$132,000 covers the ordinary working expenses as well as the expenditure during that year for sidings, buildings and works of that character which the former Government always charged to public expense. These were carried on during that and the previous year to a large extent, and this last year so much was done by the present Minister of Railways in the first year of his Administration that very little remains to be done now. Ties have still to be supplied, but not in such large quantities as the report shows. But there is the fact that the total nominal deficit in the last year of the Administration of the hon. member for Lambton was that \$432,326,

Mr. ANGLIN.

and that included \$300,000, which was simply a matter of book-keeping charge.

Sir LEONARD TILLEY. Narrowing the gauge was a separate matter.

Mr. ANGLIN. I spoke of the narrowing of the rolling stock rendered necessary by the narrowing of the gauge, and that spread over a number of years.

Mr. POPE. That does not come in there.

Mr. ANGLIN. That cost \$100,000 a year, and in the year I am now speaking of, that sum was paid.

Sir LEONARD TILLEY. For what was it paid?

Mr. ANGLIN. For narrowing the gauge in the Lower Provinces and rendering it necessary to reconstruct the whole rolling stock.

Sir LEONARD TILLEY. It was charged to capital account.

Mr. ANGLIN. No; it was not.

Mr. POPE. Every dollar of it.

Mr. ANGLIN. Either the hon. gentleman is mistaken, or the gentleman who was then at the head of the railways had stated what was incorrect, for I have seen his statement under his own hand.

Sir LEONARD TILLEY. Where is it?

Mr. ANGLIN. I have not got it, but I have read it.

Mr. POPE. It was charged to capital account.

Mr. ANGLIN. The hon. gentleman is mistaken. When I referred to that fact last Session, I observed that the Minister of Railways was startled by it, and he left his seat, and after consulting with his officers, he came back and did not venture to say then that it was charged to capital account. It was part of the same transaction as relaying the road with rails, which might also have been charged to capital account, but was not. This statement I give on the authority of Mr. Brydges, Superintendent of the road, and can be corroborated by the hon. member for Lambton at any time. The hon. gentleman talked loudly a while ago about making increases wholesale in the earnings of the road. We are all delighted to perceive that business all the world over is increasing; all railroads in Free-trade countries and Protectionist countries are doing an increased traffic, and we are glad to learn that the earnings of the Intercolonial Road have also increased somewhat. But when the hon. gentleman chose to institute a comparison between the earnings this year and three or four years ago, he should have had the honesty, if he had not forgotten the fact, to state that we purchased the Rivière du Loup Railway, 125 miles, for which we paid \$1,500,000, and expended upon it another \$100,000, and this branch of the road is one of the best paying of the whole line, and having its terminus near to the largest city on the line. We were told before we purchased the road that under the management of the Grand Trunk Company it was in a dilapidated condition, and that there was a net profit of only \$28,000 a year. Now, if the hon. gentleman would take up the accounts of last year—I do not speak of the last six months, for I have not the figures before me—and compare them with those of the previous year, either for passengers or freight, he will find in the engine and train mileage no increase that could not be accounted for by ordinary causes.

Mr. POPE. I did not say there was an increase.

Mr. ANGLIN. The hon. gentleman was boasting of the increase and gave tables for 1877-78-79-80. He did not draw attention to the fact that within the last year, the Government had purchased an additional railway that added very materially to the gross receipts of the road. If the hon. gentleman will look fairly at the whole matter, he will be satisfied that the Government, so far from claiming to have effected a saving of a quarter or half a million, cannot

claim that they have saved anything in the administration of the road. They made the attempt by cutting down salaries and by discharging trackmen and others who, it was presumed, were not required. It is not to be supposed that the employment of laborers of that class would be such a matter of patronage as to bring about overcrowding. I do not pretend to say at present, at all events, in the absence of the Minister of Railways, whether the road has been managed with prudence and economy, or whether steps have been taken by the Minister or officials to increase the traffic, but I protest against the assumption of hon. gentlemen opposite that the Government have saved half a million or any other considerable sum of money by economical management of the road.

Mr. BLAKE. What has been expended on rolling stock for the Rivière du Loup Branch?

Mr. POPE. The total paid on stock delivered is \$101,378.

Mr. BLAKE. So the total will be about \$392,000 on the stock of that branch?

Mr. POPE. Very nearly so.

Mr. BLAKE. The mileage is about 125?

Mr. POPE. 126 miles.

Sir LEONARD TILLEY. The vote now asked it is expected will fully equip and complete the 126 miles, not only as regards the track, but as relates to the rolling stock. The stock that was upon the road previous to the purchase of it by the Government was eighteen engines for 126 miles. The vote now asked for, with the expenditure previously made, is for the purpose of placing on that section of the line fifteen engines as compared with eighteen on the same distance of the old Intercolonial; five first-class cars against eight, five second-class cars against six, two postal cars against three, two baggage and express cars against three, four conductor's vans against seven, six wood cars against twelve, 120 box cars against 193, 120 flat cars against 181, fifty coal cars against seventy-nine, four snow-ploughs against four, four flange-ploughs against three, three wing-ploughs against three. The amount asked for is considered sufficient to complete and supply the Rivière du Loup Branch with rolling stock.

Mr. BLAKE. Why I asked the question was because the hon. member for Lambton, when speaking on the subject of rolling stock for the Pacific Railway, said he estimated it at the rate of the Intercolonial while placed at \$2,000 per mile.

Mr. POPE. It is a short piece of line, and rolling stock is required in proportion.

Mr. ROSS (Middlesex). I wish to say a few words on this subject, and in doing so I do not wish to appear to be criticising the department too severely in the hon. Minister's absence. All sympathize with the Minister of Agriculture, who was obliged, at the eleventh hour and even later, to take charge of the department, which involves the consideration of a great many details. I dissent entirely from the general tone of the hon. gentleman's remarks. He wished this House to understand that the Intercolonial Railway was managed much more economically now than it was during the Administration of the hon. member for Lambton, and he sought to impose on the hon. member for Lambton the responsibility of managing the road in 1878-79. This is decidedly unfair. The hon. member for Lambton retired from office in October, 1878, and for nine or ten months of that year the Intercolonial Railway was under the management of the present hon. Minister of Railways. It would be only fair, therefore, to charge the hon. member for Lambton with the proportion of the year during which he had charge of the Railway. If the hon. gentleman had wished to be quite fair, he would have compared 1877-78 with 1879-80, and on that basis he would

reach a very different result from that which he has laid before the House. In estimating the deficit of last year it would have been but fair for the hon. gentleman to have considered the increased receipts of last year as compared with the receipts of 1877-78. The working expenses of the road are one thing, the receipts another. The Rivière du Loup section of the Intercolonial Railway was added since 1878, and if it was a good paying road, there was an additional source of revenue, in 1879-80 which did not exist in 1877-8. I find, for instance, that the receipts from passenger traffic in 1877-8 were \$475,256.86, and in 1879-80, \$490,338.66; the receipts from freight in 1877-8 were \$801,704.84, and in 1879-80, \$915,486.53; the receipts from mails and sundries in 1877-8 were \$101,985.07, and in 1879-80, \$100,473.32. The total receipts of 1879-80 exceeded those of 1877-8 by \$127,352. The hon. gentleman does not claim that the increase in the receipts was due to the management of the Minister of Railways. He could not put forward such a claim. The increase in the receipts of a railway like that is not governed by management so much as by the general course of trade. The improvement of business, the additional use made of the Intercolonial Railway for eastern-bound freight, and the additional length of road along which traffic is obtained, I have no doubt, account for the increased receipts of 1879-80. Now, let us see wherein the marvellous economy of the present Minister of Railways exists. In 1877-8 the expenditure in laying steel rails was \$192,778, against \$7,962 in 1879-80, or a decrease of \$184,816. If the hon. gentleman had been fair, he would have added that sum to the deficit of last year in that particular item. The expenditure for sleepers in 1877-8 was \$31,056, and in 1879-80, \$18,695, a difference of \$12,361. In timber and lumber for repairs to bridges, snow sheds and fences, the expenditure in 1877-8 was \$37,752, and in 1879-80, \$26,367, a difference of \$10,485. In the maintenance of the road, there is a reduction in 1879-80, as compared with 1877-8, of \$255,557. Taking these three items together, the increase of \$127,352, the deficit of \$97,131, and the reduction of \$255,557 in maintenance, we should find a deficit last year of \$486,010, against a deficit in 1877-8 of \$432,326. The reduced expenditure, as I have already said, is owing to economy in what is held to be a vital part of the judicious management of the railway. If the hon. Minister of Railways will save money in the laying of sleepers or steel rails, or in the building of snow sheds and fences, to what is that owing? It is owing either to the excellent condition in which he found the road when it was passed over to him by the hon. member for Lambton, or to another and a very serious fact, that he is neglecting to keep the road in proper condition. When he wishes to make a comparison between last year and the year 1877-8, let him not take the expenditure into consideration alone, but let him also take the receipts. If the hon. member for Lambton, with \$127,000 less in receipts, could manage that road and have a deficit of \$432,000, then, allowing the same earnings and thus taking \$127,000 from the receipts of the hon. Minister of Railways, his deficit would, on his own showing, be over \$200,000. Besides that there is the additional item of \$255,000 which the present Minister of Railways refrained from spending on the construction of the road, but which was absolutely necessary to be expended by the hon. member for Lambton. I contend we have not, on the face of the report, a single fact, except the reduction in a few instances of salaries, which goes to show that the road is more economically or better managed than it was in 1878. I have an additional fact on the other side that a series of accidents occurring time and again, tends to create a strong suspicion that instead of the road being maintained in efficient working order it has greatly fallen out of repair, and perhaps serious consequences to life and limb as well as to the pocket of the people may accrue from this mismanage-

ment. Of course, I know that the acting Minister of Railways may not be in a position to give all the details in regard to this item, but I thought that having heard the unfair statement which he may have innocently made, and which, going to the country, would redound to the glory of the present Minister of Railways, it was my duty to put these facts before the House, as deduced from the report. These facts are incontrovertible, and the hon. gentleman will waste his time unnecessarily in endeavoring to explain them away.

Mr. POPE (Compton). The hon. gentleman has tried to make out that the aggregate receipts of the road per mile have been very much increased by the addition of the Rivière du Loup Branch. Will the hon. gentleman be surprised when I tell him that the aggregate mileage receipts of that branch are about \$1,300 per mile, while upon the whole road they are about \$1,700 per mile. It is useless for hon. gentlemen opposite to try to shirk the expenditure for 1878-9. I have not said one single word about the hon. member for Lambton, but I have shown that the expenditure has decreased, and the road is being run much more economically of late years, than it was during his administration. When the hon. Minister of Railways came into office in 1878, he found a system of extravagance existing in the expenditure, and engagements had been entered into which had to be carried out. Consequently, that year, the expenses for which he could not be held responsible, were very large. In 1876-77 the deficiency was \$309,228. The hon. gentleman tried to hoodwink this House by saying that the cost of steel rails was included in this amount. I say the amount of deficit every year is entirely exclusive of steel rails.

Mr. ROSS. No; the steel rails were charged to revenue.

Mr. POPE. In 1877-8 the loss on the road was \$232,326. Now we come to the year 1878-9, for which the late Administration is responsible, as it was late in the month of October when he came into office, and it was not in his power to make any very great saving during that year. We find that year that the loss on that road was \$547,687, besides the rails. In 1879-80 the loss was \$97,131, as against \$307,000 in 1876-7, \$230,000 in 1877-8, and \$547,000 in 1878-9. That is the true position of the case. The past six months of this year show, not a loss, but an actual profit of \$26,000. My hon. friend says that we get that out of the Rivière du Loup Branch. I have shown him that the earnings of that branch are \$1,300 per mile, as against \$1,700 per mile for the whole road. Whatever may have been the means which the hon. gentleman has used to reduce the expenses, he is entitled to all the credit of the reduction, and that reduction has been made without impairing the quality of the road, which is as good as ever it was. The mail train runs over at the rate of 621 miles in 21 hours.

Mr. ROSS (Middlesex). My hon. friend has just proved my position. My statement was that in 1877-8 there was a deficit of \$432,326. After deducting the expenditure on steel rails, my hon. friend says there will be a deficit of \$230,000. I will start with that as a basis. Say that there was in 1877-8 a deficit of \$230,000. Coming down to 1879-80 there was a deficit of \$97,000, according to the admission of the hon. gentleman. Notice the argument which, I say, the hon. gentleman failed to answer. There was a reduction of \$255,557 in the expenditure on maintenance of way and works last year, as compared with 1877-8. So that the whole of the economy which the hon. gentleman seems to insist on so strongly, is absorbed in the reduction of this expenditure. I do not say the road was badly managed. I do not say that it is, but I to say that there is a very great risk in reducing reasonable expenditure in the maintenance of the road, on bridges, fences, and all the other material that enters into the equipment of a road, because, by reducing this expenditure,

Mr. ROSS (Middlesex).

the road becomes practically unsafe. There is another point to consider: not only does the road become unsafe in the meantime, but whoever succeeds the Minister of Railways will have largely to increase the expenditure, and thus mismanagement will appear as against good management at another time. This is a point the hon. gentleman has lost sight of.

Mr. POPE (Compton). Where does the hon. gentleman get his figures?

Mr. ROSS. I have taken them from your statements.

Mr. POPE. That the road was in bad shape?

Mr. ROSS. I did not say it was in bad shape, but that reducing the expenditure in the management of the road looks suspicious. I cannot understand how, if it required so much money in 1877-8, it could do with \$250,000 less in 1879-80.

Mr. POPE. That is science.

Mr. ROSS. Perhaps there is some science in it. It remains to be seen, however, whether it will achieve any good results. It may be a stroke of genius on the part of the hon. gentleman; and if so, we shall be delighted to acknowledge it. In the case of the Minister of Agriculture, I do not know when he effected any such brilliant operations as those of the Minister of Railways in the maintenance of this road. I admitted, however, a slight reduction of salaries had been effected. The amount required for the roadway and fences, in 1877-8, was \$288,438, and in 1879-80 \$230,124. There is a reduction of \$58,000 in the wages paid those connected with the working of the road. But that is a small portion of the reduction to which I have called the attention of the Minister of Railways. It does not go for one-fifth of the \$255,000 voted for the maintenance and working of the road. How does this reduction come about? I cannot understand, but we shall have to accept it. The fact remains that the economy practised on the Intercolonial Railway was not in the reduction of salaries, but in the expenditure for maintenance.

Mr. POPE. The member for Gloucester says it was not in the salaries.

Mr. ROSS. Four-fifths was saved in the maintenance of the road; and this fact destroys entirely the boast of the Minister of Railways, that reductions would be made in salaries. The case is clearly established that we have an Intercolonial maintained, not with a deficit of \$97,000, as is claimed, but with one which amounts to as much, if not more, than the deficit during the administration of the member for Lambton, if the accounts were made up on the same basis as in the year 1877-8.

Mr. POPE. I deny it.

Mr. ROSS. It is easy and convenient to deny it. I have proved my statement from the figures of the Minister of Railways, which is more important than a mere denial.

Mr. MACDOUGALL. I had not the pleasure of hearing the opening remarks of the hon. gentleman who has just spoken. But it strikes me that the hon. gentleman is very anxious to find some reason for the change which has taken place in the expenditure of the Intercolonial, which appears to this House and to the country, I am sure, a very beneficial change in the direction of economy and good management. The point has been reached which I never expected to live to see, the working of this road at a profit. But it will not satisfy the hon. gentleman nor his friends, and he hopes it will not satisfy the country—that under this Government we have reached a stage in the history of the Intercolonial at which there is a saving beneficial to the country effected, and not a loss to report. The attempt is made to show the saving took place in this, not on the other item, so that therefore it should not pass to the credit of the Government, because it was effected in maintenance.

Probably the expenditure for maintenance during the Administration of the hon. gentleman's friends was one of their extravagances—one of those things in which it is said political managers do sometimes indulge. That may be the case or not; but so far as the country and the majority of the House is concerned, it is enough to know that in this instance there has been a saving—we are not particular as to the item or the particular department in which it was secured. I suppose it was made where it could be made, and where extravagance existed before; and whether it was in the item of maintenance or not, there it is, and the road is maintained. If the road can be maintained at \$250,000 less than during the Administration of hon. gentlemen opposite, it shows either that it is not efficiently maintained to-day or was extravagantly maintained before. He must take one or other horn of the dilemma. The evidence produced in the House shows that the road is efficiently maintained—that travellers find it a good road, and that the Government have expended as much as was proper to secure this good working condition. That is all we can ask, and I am sure it is a very small concession for hon. gentlemen opposite to make—that under the present Minister of Railways, since he has had the opportunity of applying his abilities to the management of this road, there has been, on the whole, a marked saving, and substantial benefits and advantages secured to the country.

Sir RICHARD J. CARTWRIGHT. The position of the hon. gentleman (Mr. Macdougall) would be true enough provided always there had been that saving obtained by any honest alteration in the management. But the fact of the matter is simply this: that under the management of the hon. member for Lambton there were a number of expenditures which, I have no doubt, hon. gentlemen opposite, had they been in power, would have changed to capital account. During that hon. gentleman's administration two excessively important changes were made which enormously affected the economical working of the road; one was the substitution of steel rails for iron, which involved a very considerable cost, that was charged to the ordinary expenditure of the years 1876, 1877, and 1878. There was also a very large improvement made in the alteration of the gauge, and a large part of the expenditure so incurred, chiefly in the alteration of locomotives, and so forth, was likewise charged to the ordinary expenses under my hon. friend. Now, before you can make any sort of comparison of this kind, you have to make allowance for those two very important matters, and to point out that the small allowance which remained was due to certain alterations in the purchase of material for the road, and only in a very small degree, indeed, to any saving in the salaries paid. My hon. friends on this side did not cast reflections on the Ministry in this connection. They merely answered an attack made very unnecessarily, I thought, by the Minister of Agriculture upon the management of the Intercolonial by the hon. member for Lambton, who is not here, unfortunately, to speak for himself. Had he been here I know he would have had the whole subject exhausted. I know that the improvements effected in his time have contributed largely to the economical working of the road to-day. Neither the member for Lambton nor the present Minister of Railways is responsible for the fact that there is an improved state of business and a larger traffic over the Intercolonial than before.

Mr. POPE. With respect to this question of steel rails I have given the hon. gentleman the calculations without taking the steel rails into account. I will now give him the figures, including the steel rails. In 1876-7, the losses were \$507,228; in 1877-8, \$432,326; in 1878-9, when the hon. gentleman had made very large calculations, \$716,083; and in 1879-80, \$97,121. So that the hon. gentleman will see that he does not gain anything by including the steel rails.

294. Murray Canal, towards construction ..... \$25,000 00

In reply to Sir RICHARD J. CARTWRIGHT.

Mr. POPE. The estimated cost of this work is, for 12 feet of water, something like \$500,000; for 14 feet, \$700,000. The length of the canal will be about seven miles. It has not yet been decided how many guard locks there will be, if any.

295. Canadian Pacific Railway—Compensation to the St. Boniface Hospital, on account of a large increase in the number of patients between the years 1876-1880, inclusive, in consequence of the proximity of the Canadian Pacific Railway Works. \$1,783 20

In reply to Sir RICHARD J. CARTWRIGHT,

Mr. POPE. This payment is made in consequence of an arrangement which has been made with the authorities of St. Boniface, by which sick people brought from outside the Province of Manitoba are kept at the rate of 60 cents per day. This arrangement will continue until some other plan is devised, for, of course, we must look after these unfortunates who are unable to take care of themselves. Of course, after the railway is in the hands of the Syndicate we will not require to provide for people connected with the railway.

298. Public buildings in Ontario..... \$70,500 00

Mr. MILLS. I observe that \$36,500 is asked for public buildings in Hamilton. I have always been under the impression that we had very good public buildings in Hamilton.

Mr. LANGEVIN. The hon. gentleman must remember that Hamilton is an ambitious city. I visited Hamilton last summer to ascertain how matters stood, because representations had been made to me that new buildings were required. The Custom House is far from the business part of the city, and the Post-office is too small. Under all the circumstances, I concluded that it was better to have one new building, containing the custom house, post-office, inland revenue, and weights and measures offices. I caused an estimate to be made of the probable price we could obtain for the present custom house and post-office buildings, and find that we can probably obtain about \$32,000 or \$35,000 for them. The site I propose to purchase is what is known as the McGinnis property, at the corner of King and another street. I caused an estimate to be made of its value by two gentlemen of that city, Messrs. Stewart and Turner. The total cost of the lot is estimated at \$36,000.

Mr. PATERSON (Brant). According to the hon. Minister of Public Works' own showing, he is incurring a very heavy expense in these works in Hamilton. I think the convenience of the merchants of Hamilton and the public generally would be much better served by leaving the Custom House where it is than to remove it into the city as proposed. The present Post-office is a very good building, in the heart of the city, and I do not see what economy will be effected by sacrificing two valuable properties for a property less convenient, at a cost of perhaps \$200,000. I have no objection to the grants for St. Thomas and Chatham, and I do not see why hundreds of thousands of dollars should be expended on public buildings in two or three large cities whose receipts are not proportionately so great as those of other towns which have to put up with public buildings valued at \$25,000 or \$30,000. I think the hon. Minister of Public Works would have done more for the general good of the country if he had employed the present public buildings in Hamilton, and expended the \$200,000 which the proposed change will certainly cost, in putting up buildings in, say, ten important towns in our Province. I wish to ask the hon. Minister why there was such delay in the construction of the public buildings at Brantford last year, whether any loss was sustained, what officials were sustained, and how long, and whether the business is satisfactory at present?

Mr. LANGEVIN. The hon. gentleman is quite wrong about Hamilton. The custom house, as at present situated, is out of the way, and an immense majority of the inhabitants want the change we propose to make. If the merchants and inhabitants generally of Hamilton are satisfied, I do not think we should find fault with the arrangement, provided Parliament is willing to grant the money.

Mr. PATTERSON (Brant). Will the Post office be in the same building as the Custom house?

Mr. LANGEVIN. The Post office, the Custom House and the Inland Revenue offices will all be in the same building. This will be a great boon to the city of Hamilton, which is an important place. The value of its exports last year was \$1,250,000, against imports, \$3,500,000; of goods entered for consumption, \$3,369,000; of customs revenue, \$718,000; of excise revenue, \$327,000; of weights and measures revenue, \$1,692; and of postal revenue, \$50,000. It is proper, therefore, that such a city should have a good building. In Hamilton, we will have to erect a proper building in harmony with the architectural surroundings and value of the lots. With regard to Brantford, there was \$10,000 in the Estimates for 1880-81. That was to complete the keeper's dwelling, to alter a portion of the building, to make roadways, and complete internal fittings. About 12 months building will be completed.

Mr. PATERSON. What was the total cost of present Post Office and Custom House?

Mr. LANGEVIN. I cannot say. We will not be losing by selling the Post Office buildings, or the Custom House.

Mr. PATERSON (Brant). I have nothing to say against the erection of public buildings in Hamilton, but there was no reason for spending \$250,000 there to erect a building to accord with the architectural surroundings. The public building at Guelph is a low, squatty one, which is completely dwarfed by the surrounding buildings.

Mr. LANGEVIN. We are not responsible for the Guelph building, which was erected by the late Government, and if it was a dwarf and unsightly building, the hon. gentleman should ask his friends why it was placed there. I assure him that if it should be burnt down, we will not erect such an unsightly building.

Mr. KILVERT. The proposed change in the location was made at the request unanimously of the business men of Hamilton. I can endorse what the hon. Minister of Public Works has said with regard to the situation of the site and the price proposed to be paid. In the same locality a not more favorable site has brought a much larger price recently.

Mr. FITZSIMMONS. I think \$8,000 is a very small sum to put in the Estimates for Custom House, Post Office and Inland Revenue Office for Brockville. It is a rising town, and the revenue derived from the Customs and Post Office there for the year ending 30th June, 1879, far exceeds that of other towns which have received grants for public buildings. The following statement will show the importance of the town: The net revenue from Customs and Post Office received in Brockville for the year ending 30th June, 1879, was \$51,229.40. This exceeded Belleville by \$2,046.22; Cornwall by \$4,400.65; Sherbrooke by \$50,719.35; Stratford by \$4,749.12; St. Thomas by \$26,745.89; and Chatham by \$27,990.70. The revenue from Customs, Post Office and Inland Revenue in Brockville for the half year ending 31st December, 1880, was \$53,841.80, or a total of nearly \$105,000 for the year. This town was entitled to consideration long ago. With reference to what the hon. Minister said as to the expense of these buildings, I do not agree with him. It would be far more economical to erect a building that would give the proper accommodation at once than in the course of ten years, to add to it, and expend much more than would have

Mr. PATERSON (Brant).

been necessary if it had been properly built at first. I trust that when the site is purchased, the hon. Minister will see his way to giving us a sufficient further sum to erect a proper building having the necessary accommodation for the increased business of the town. Brockville has the most inconvenient public buildings of any town of its size in the Province of Ontario.

Mr. GAULT said he hoped the hon. Minister would keep in view the constantly increasing population of Montreal, and see that its Post Office building was enlarged to suit the service.

Mr. HESSON said that when erecting public buildings, the Government should expend sufficient money to provide buildings that would suit the requirements of the people for at least fifty years to come. The Minister of Public Works should not be illiberal in connection with public buildings intended to serve for many years the wants of the people.

Mr. LANGEVIN. Of course, hon. members would like a larger expenditure in their constituencies for public buildings, than is proposed. But we are not building for the wants of fifty years hence, but for those of to-day and ten or twenty years hence. However, I always take care to accept plans that will admit of the enlargement of those buildings after ten or fifteen years; and, therefore, we need not at present spend larger sums than are proposed.

299. Dufferin improvements, Quebec—To pay contractor for gates, balance of contract, etc.....\$7,550 00

Sir RICHARD J. CARTWRIGHT. Is this the last item for this work? What is the total cost?

Mr. LANGEVIN. I think the total cost is about \$54,000—that is for the St. Louis and Kent gates.

312. St. John Post Office—To complete contracts \$10,000 00  
do Custom House—To complete contracts.\$12,000 00

In answer to Mr. PATERSON (Brant),

Mr. LANGEVIN. Up to 31st December last, the expenditure upon the Post Office has been \$103,793, and upon the Custom House, \$254,792.

Mr. PATERSON. What are the receipts from those establishments?

Mr. LANGEVIN. About \$1,000,000.

308. Harbors and Rivers, Ontario.....\$31,000 00

Mr. McCALLUM. I would like to know who has control of the Port Stanley Harbor—the Government or the Great Western Railway? I believe it was leased to the Great Western Railway some years ago, and this arrangement was that they were to expend the tolls they collected in putting the harbor into repair. It is in a bad state just now, and there are a good many obstructions in the harbor. A steamer was sunk there last fall owing to these obstructions. I hope the Government will see that the Great Western Company carry out the arrangement they made.

Mr. LANGEVIN. In 1875, \$7,000 was voted for the purpose of adding eighty-five feet in length to the western pier. It was found, however, that the work was not properly done, and thus \$1,000 is now asked for the purpose of raising the piers, if, on investigation—for the question is still pending—we find that the Great Western Railway Company are not bound to do the work. The company say that, although the harbor was transferred to them on the 17th of May, 1873, they never took possession.

Mr. ARKELL. I wish to call attention to the fact that \$1,000 was voted for the erection of a lighthouse at Port Stanley, and that the present lighthouse is in a very dilapidated condition. If the people think that if they have to wait until the difficulty between the Government and the Great Western Railway is settled, they may have to wait a long time.

Mr. LANGEVIN. The inference from the vote taken was that the harbor belonged to us, but at all events the question will soon be settled, and then the Deputy of Marine and Fisheries will have the lighthouse erected.

311. Indians (Quebec) ..... \$500 00

Sir JOHN A. MACDONALD. This vote is intended to complete a road now partially opened through the Lake St. John Indian Reserve, in the Township of Oniatouchouan, and I think, after the railway is built there, it might properly be made a charge against Indian lands. The road is seven miles long, and the portion already constructed is very creditable to the Indians.

312. Indians (Manitoba and North-West Territories) ..... \$36,368 00

In reply to Mr. MILLS,

Sir JOHN A. MACDONALD. The sum of \$12,668 is asked to supplement the item for schools to a former vote, the object being to establish industrial schools, like those which have been so successful in Algoma—one of them, a Protestant school, and the other a Catholic. It is intended, as far as possible, to collect the most prominent young Indians there, and very likely have them brought up with white people. It is expected that there will be no difficulty in bringing about a certain fusion or mixture of the races, with very great advantage to the Indians. One of the schools will be at Battleford, and the other at Qu'Appelle.

Mr. MILLS. I see that the Minister is now asking \$23,000 to pay expenses of farms, which, with the \$60,000 already voted, makes a sum much larger than last year, when provisions, implements, &c., had to be purchased. Now these implements are supplied, equipments are furnished, one year's stock is obtained, and the expense seems larger now than before.

Sir JOHN A. MACDONALD. The expense of feeding and maintaining the farm laborers last year was charged against the vote for destitute Indians. It is severed now, there is a special charge; this increase is accounted for by the necessity of acquiring food for the farm hands during a portion of 1881. When the farmers were sent to the North-West they were furnished with food for a year, and if they ran short it was intended that they should be supplied from the store for destitute Indians. Extra team horses were also required for the farms, and a small balance is required for contingencies. This increase is further caused by the necessity of employing extra instructors to help the Indians settle down under reservations. Every new band requires some one to work with them. Great loss has also been sustained from the ignorance of the Indians in the use of tools.

Mr. MILLS. Does the \$65,000 stated in the Public Accounts, as incurred on behalf of these farms, represent the whole sum expended?

Sir JOHN A. MACDONALD. No.

313. To provide for the cost of a monument to the memory of the late Sir George E. Cartier.....\$10,000 00

In answer to Mr. BLAKE,

Mr. LANGEVIN. The monument will be erected in Ottawa. The site has not yet been chosen, but most likely it will be on the public grounds, or perhaps in the building itself.

315. To pay balance due for conveying His Excellency the Earl of Dufferin and his party in steamer "J. W. Steinhoff" from Windsor to Sarnia and Goderich, in August, 1874.....\$152 98

In answer to Sir RICHARD J. CARTWRIGHT,

Mr. LANGEVIN. The amount of the account was \$652.98, and the amount paid to the claimant was only \$500. After examining the account the Government have thought the balance should be paid.

Sir RICHARD J. CARTWRIGHT. I was under the impression that all these accounts were settled and receipts taken.

Mr. LANGEVIN. This party has furnished us an account for the full amount, and has shown us a receipt for only \$500. The articles furnished consisted chiefly of food and refreshments, and we think the balance should be paid.

Sir RICHARD J. CARTWRIGHT. I think these accounts were all thoroughly investigated at the time, in connection with the late Colonel Fletcher, Military Secretary. As well as my memory serves me, the various patriotic individuals who rendered any services to Lord Dufferin took exceedingly good care to charge the topmost price that could possibly be charged for vessels, vehicles, and all other things connected with that trip.

Mr. LANGEVIN. These were not charged to Lord Dufferin, but to the Government of Canada.

Sir RICHARD J. CARTWRIGHT. I know Lord Dufferin did not pay these things out of his own pocket, nobody supposed he did. But what I stated was that to my certain knowledge every man who seems to have had anything to do with the Governor-General on those progresses, seems to have made it a matter of conscience to charge as much as they possibly could, and therefore I greatly doubt whether anything more ought to be paid at this time of day, seven years after the whole thing has been settled by the late Government in conjunction with the officers of the household with whom Lord Dufferin was travelling. The whole of this system of bringing down a lot of items dating back a number of years, is replete with abuses, and I doubt whether the House ought to vote those things.

Mr. LANGEVIN. The hon. gentleman is wrong. If a man has a just claim it ought to be settled, even though it be several years old. The hon. gentlemen opposite have already paid \$500 of this claim, and the Government, after examining the account, have decided upon paying the balance.

317. To pay additional salary for six months to the Hon. George Baby, Judge *ad hoc*, Court of Queen's Bench, Quebec ..... \$500 00

In answer to Mr. BLAKE,

Mr. LANGEVIN. Mr. Baby, who was appointed a Judge of the Superior Court, to fill a vacancy, at \$4,000 a year, was called to act as a Judge of the Court of Queen's Bench, the Judges of which receive \$5,000 a year. As he acted for six months, he was paid \$500 in addition to his regular salary.

Mr. BLAKE. And what is Rimouski doing?

Mr. LANGEVIN. It is being attended to by Mr. Justice Taschereau.

319. Amount required to pay Commissioners under "Better Prevention of Crime Act of 1878".... \$300 00

Mr. BLAKE. It appears to me that this is growing to be a regular item in our Estimates. I understood that it was only when this Act was put into operation by proclamation that any expense was incurred, a Sheriff or some other recognized official being appointed *ad hoc* on that occasion. Has the Act been put into operation?

Mr. McDONALD (Pictou). The Act was continued this Session for another year, and if the Act is on the Statute-book, it is necessary that commissioners should be appointed.

Mr. BLAKE. There are no commissioners and no expenses incurred unless the Act is put into force by proclamation of the Governor in Council. Is any place proclaimed now?

Mr. McDONALD (Pictou.) Both Quebec and Montreal.

Mr. CARON. It has been continued by proclamation for a year in both cities.

326 Canadian Pacific Railway—Fort William to English River..... \$11,000 00

Mr. BLAKE. What is this for?

Mr. POPE. It is supplementary, for Contract 25, from Ascension Creek to English River.

327. Pembina Branch..... \$15,500 00

Mr. BLAKE. What is this for?

Mr. POPE. The total expenditure on this branch was estimated at \$101,512. The appropriation of 1881 was \$86,000, leaving a balance of \$15,512 to be provided for.

Mr. BLAKE. Is this the Murphy and Upper contract?

Mr. POPE. Messrs. Hanover, Murphy & Upper were paid \$5,318; the Toronto Bridge Company, for iron bridges, \$7,000; for ballasting, track-laying, bridging and grading, \$81,904; making, in all, \$101,000.

Mr. BLAKE. There was a vote of \$50,000 taken the other evening; now it is cut down to \$15,500, which is a great change of base.

Mr. POPE. We thought the matter over, after the advice and criticism of the hon. gentleman, and acted upon it as he has seen; so we could not have done wrong.

328. Telegraph lines, British Columbia..... \$8,600 00

Mr. BLAKE. How will this be spent?

Mr. POPE. This is to pay a balance due the contractor for loss from his not being allowed to complete his contract. The telegraph poles were burned up while his work was suspended. The matter was left to arbitration, and afterwards submitted to Mr. Lash, who recommended this item.

Mr. BLAKE. Who was the contractor?

Mr. POPE. Mr. Bernard.

331. Amount required for Civil Service Commission, including printing and other services..... \$ 5,000 00

In reply to Mr. BLAKE,

Sir LEONARD TILLEY. It is expected that this will cover the whole expense.

334. Submarine Cable Route between Vancouver Island and the mainland via Nanaimo and Point Grey—Extra cost of fitting up telegraph barge "Electron" and working S.S. "Sir James Douglas"..... \$ 3,750 00

In reply to Mr. BLAKE,

Mr. LANGEVIN. It was intended that the barge *Electron* would be used for this service, but when Mr. Gisborne went over there it was found that the vessel was not strong enough, and it had to be strengthened. A quantity of supplies of various kinds was also required. Our whole system there will cost \$21,250. The laying down of the cable this year was delayed by the unexpectedly long voyages of the two vessels which went out there by way of the Cape, and that fact has somewhat increased the expenditure of the current year. Mr. Gisborne telegraphed me lately as to the progress of the work, which he reports as proceeding very satisfactorily. It would probably be completed by the 1st of April. The original estimate was about \$4,000 less than the sum which would be actually required.

335. Intercolonial Railway—Halifax extension, additional amount required..... \$27,800

Mr. BLAKE. Can the acting Minister give me any further information as to the experimental cargoes which are to be carried over the Intercolonial to Halifax, and thence to Liverpool? I see by the correspondence brought down that instructions were given to keep very minute accounts of the expenses, results, &c. Have these instructions been observed, and, if so, can the hon. gentleman give me the results?

Mr. CARON.

Mr. POPE. These instructions are being carried out, but I cannot yet give the details. I may say that the receipts from the experiment have been something less than \$1,800, which would a little more than cover the freights, supposing the traffic was done separately, but it would not quite cover the expense of shipping as it is carried on.

Mr. BLAKE. The hon. gentleman says the instructions are now being carried out. They cannot be carried out now, because the traffic has passed over the line, the expense has already been incurred, and orders were given to keep a detailed account of all expenses.

Mr. POPE. So we have; and the account is being made up in detail, though I cannot give it now.

Mr. JONES. Was any allowance made for freight coming westward?

Mr. POPE. No.

Mr. JONES. Then you cannot tell anything about it, because it may be much cheaper if an allowance is made for freight going westward. Of course, freight going eastward tells against the traffic.

Mr. BLAKE. That is one of the conditions to be taken into account, but I do not suppose we will be better able to ascertain this result, because we do not get a detailed account of the freight going east.

Mr. JONES. It is impossible to tell with two cargoes going east the result of the whole traffic. It may give some idea, but you must consider there is always a traffic westward, and that will go to the credit of the eastern traffic.

Mr. BLAKE. The Minister of Railways thinks this is of some consequence, and consequently we are entitled to that information.

Mr. POPE. When I give the hon. gentleman the whole cost and the whole receipts, that it amounted to something less than \$1,800, and that that would more than pay freights, but not quite enough to pay for putting it into ships, I think that is enough.

Mr. BLAKE. I want this detailed account.

Mr. POPE. Will the hon. gentleman explain exactly what he wants?

Mr. BLAKE. I will read to him: "Instructions have been given to keep a minute and detailed account of all the expenses." I want to see that detailed account.

Mr. POPE. I will give him all I can get.

Mr. KILLAM. I would like to ask the acting Minister of Railways whether the recent experiment in the way of shipping grain have had such successful results as to make it worth while for shipowners to bring vessels to Halifax in the hope of getting cargoes there in the immediate future; and if it is the expectation of the Government, that with the votes they have got for the construction of elevators and improving facilities for the shipment of grain at Halifax, we will be able next fall, when the crop of 1881 begins to move, to count with any degree of certainty upon any shipments of grain from Halifax which will entitle that city to be ranked as a competing port with other ports upon the eastern American continent?

Mr. POPE. The experiment we made has not discouraged us from the hope of being able to increase our traffic very largely by shipping grain from Halifax. We might not feel very much encouraged if our whole shipments were to be of grain, but when the elevator is built there the transhipment from the car into the ship will be effected with small expense. We believe that we can do a great deal in that way, and that it will be of great advantage to the railway itself.

Mr. KILLAM. Are we to understand then that the Government intend to act in a commercial manner and

do their best to make the Intercolonial a competing outlet for the grain, cattle, and other trades of this continent, and place Halifax on an equal footing with other ports on the Atlantic seaboard? Also, I would like to know whether the Intercolonial is expected by the Government to become a competing line with those lines which are now carrying the productions of the great West to the seaboard?

Mr. JONES. We are looking out for ourselves.

Mr. BLAKE. The hon. member for St. John is desirous to know whether there have been any communications with the Department on the subject of a rate for St. John, with a view of shipping a cargo from that port. He was led to believe that there had been some communication, and that a rate had been spoken of somewhere about three cents per quarter less than the rate from Halifax.

Mr. POPE. I do not think there has been any communication with the department on that subject. I have enquired of the Chief Engineer, but have heard nothing.

336 Expenses in connection with the maintenance and repairs of Canals ..... \$28,900 00

Mr. SCRIVER. I desire to call the attention of the hon. Minister of Public Works more particularly to the effect which has been produced by the enlargement of the works on the Lachine Canal, and the extension of the mouth of the canal by the ferry across the St. Lawrence. The hon. gentleman is aware that there has been a ferry there for many years past which has afforded to the inhabitants of Chateaugay and of the western part of Huntingdon the means of getting to Montreal—indeed the only means, at a certain season of the year. Perhaps he is not aware that the effect of the extension of the mouth of the canal has been to produce still water and to cause the formation of ice there, so as to prevent the crossing of the boat altogether. Until the present winter this ferry has been made use of by the Grand Trunk Railway for the Caughnawaga division; but owing to the extension of their line to St. Isidore, they have ceased to use it, and to have the same interest in it. The interest in it is chiefly limited to the people of the counties I have mentioned. The mails also were formerly transported by this ferry; but since the withdrawal of the steamboat they have been taken across in canoes, which is an uncertain and inconvenient method. I know no way in which the Government can do justice to the people interested in the matter but by extending the railway wharf at Lachine a little further into the river. If this were done, as it could be at a comparatively small expense, the winter ferry could be still kept up.

Mr. POPE (Compton). The hon. member for Jacques Cartier (Mr. Girouard) has frequently called the attention of the Government to this matter, and they have been watching the effect of the ice at that point, with the view, if possible, of meeting the difficulty complained of; and we hope to find some solution of it before long.

Committee reported.

#### OATHS OF GOVERNMENT TELEGRAPH EMPLOYÉS.

The House again resolved itself into Committee on the Bill (No. 91) to prescribe an oath to be taken by employés on telegraph lines under the control of the Government.

Mr. McDONALD (Picton). I have considered the objection made last evening to this Bill, and I trust I have met it by substituting a declaration for an oath. I also make it a misdemeanor, punishable by fine or imprisonment, for any employé to violate the declaration. If any telegraph operator or other person in the employ of a telegraph company, divulges the contents of a private telegram, except when authorized or directed so to do, he shall be guilty of an offence against this Act.

Bill reported and read the third time and *passé* l.

#### WAYS AND MEANS.

Sir LEONARD TILLEY moved that the Report of the Committee of Ways and Means (Feb. 25) be concurred in.

On item 7, iron, etc.,

Mr. DOMVILLE. There is a very important question which I wish to bring before the House and country at present, in order that, next Session, it may receive full consideration. Of course, we know it is too late in this Session to ask or expect the Government to make such alterations in the Tariff as the iron manufacturers considered they are entitled to. I will ask that a memorial from the iron trade of Canada, presented to the Government lately, may be considered as read, in order that it may get a place in the *Hansard* for future reference. We who are interested in the iron trade do not think we are sufficiently protected at present. We found, before the new Tariff was brought in, that puddled and scrap iron, and such raw material as the rolling mills use, was admitted free from duty, while, manufactured, iron paid but five per cent. Under the new Tariff we find that, the duty being an *ad valorem* duty, when iron is very high in England, it is in our favor, because it is a progressive duty; that when the duty on pig iron is confined to \$2 per ton and 10 per cent. on scrap and puddled bars, at 17½ per cent. on manufactured iron, we are all right. In a low market in England, when the duty is paid, that pig iron pays 17½ per cent., only giving us a difference of 2½ per cent. between the raw and manufactured material. In making the manufactured item, such as bar iron, bolts, &c., and other materials that come in such as the ore, which we need for pettling purposes, and backing up the furnaces, we find we have to pay duty on them; and considering the duty we pay on all the other articles used in the production of iron, we are not at all protected, because we have to pay nearly 17½ per cent. on the raw material. We claim we are either to make iron in the country or we are not. We have got the raw material, coal in Nova Scotia, and also ore. We have the ore, and we claim that we have the consumers, but while we have that from which to produce and the market to which we can sell, the Tariff is so framed that we cannot have the producers; in other words, the producer is at a disadvantage—he cannot turn the one into the other manufactured article. I hope that the Government will set the matter right next year by giving us a duty of \$3.50 per ton on pig iron; and if that is done we will keep in the country about \$10,000,000, which otherwise we could not do. This is one of the matters which I and others made a plank in our platform at the last election; for we told the electors that, under the policy of this Government, not only would protection be afforded to the manufactures of this country, but to its mines and minerals; and I trust the Government will take the matter into earnest consideration.

The following is the memorial to which the hon. member referred:—

To the Hon. Sir S. L. Tilley, K.C.M.G., etc., Minister of Finance.

SIR,—The undersigned, members of the House of Commons, beg respectfully to address you on the subject of iron production in Canada, and the means to be adopted for establishing this industry on a large scale, and on a permanent basis, as an important element in the building up of the future strength and greatness and prosperity of the Dominion. While recognizing the great benefit which the National Policy of the present Government has even already conferred upon the country, and the still greater mass of good results which it is destined to bring about in time to come, we are, nevertheless, deeply impressed with the conviction that the work of beneficial, patriotic legislation, now so well begun, requires to be carried still further, and that something more is yet necessary to complete it. In manufactures of iron, Canada has already made good progress, and under the new policy is progressing more rapidly than ever before. But in the production of the metal itself, from the ore, and of wrought iron from pig metal, we have as yet made only small beginnings. From the experience gained in these small beginnings this lesson chiefly may be drawn, that something important is yet lacking, to wit—the extension of the National Policy so as to bring within its vivifying influence the production as well as the manufacture of iron. And we are hopeful enough to believe that from the Government which has so sig-

nally benefited the country by the establishment of this new policy, and particularly from yourself, as the Minister who from official position has chiefly to do with such matters, the proper measures with a view to this end may reasonably be expected.

Some idea of the magnitude and importance of the iron trades in manufacturing countries may be had from the following figures:—

Tonnage and value of pig iron produced in the countries named, in the year 1877:—

	Tons.	Value.
Great Britain .....	6,698,664	\$78,685,306
United States .....	2,314,585	34,000,000
Belgium .....	418,366	5,857,124
Canada .....	15,000	210,000

The same of coal, in 1877:—

Great Britain .....	134,610,763	\$219,444,054
United States .....	50,000,000	75,000,000
Belgium .....	14,329,578	35,000,000
Canada .....	883,511	1,544,526

In 1878, the production of pig iron in Great Britain was 6,381,051 tons; and in 1879, 5,995,337 tons. The average of the last ten years is about six million tons. We may compare Canada with Belgium, which has about five millions population to our four millions. The figures above show how much, with all our vast natural resources and extent of territory, we are behind the little Kingdom of Belgium in the production of iron.

Total imports into Canada of iron and manufactures of iron during ten years—1870-71 to 1879-80:—

1870-71 .....	\$10,311,188
1871-72 .....	12,291,908
1872-73 .....	21,202,753
1873-74 .....	18,878,411
1874-75 .....	15,783,960
1875-76 .....	11,600,897
1876-77 .....	9,330,482
1877-78 .....	8,298,517
1878-79 .....	8,519,211
1879-80 .....	10,217,228
Total in 10 years .....	\$125,435,165

This large amount, of ten years' importation, was made up as under:—

Iron .....	\$33,704,154
Steel .....	5,408,121
Rails, plates &c., for railways, iron and steel....	31,357,532
	\$70,469,807
Machinery, hardware, and iron manufactures generally.....	\$54,965,358
	\$125,435,165

It will be seen that for the last ten years the imports of iron, steel, and railway iron and steel averaged \$7,000,000 per annum, and of machinery, general hardware, and other iron manufactures, \$5,500,000 more, or a total average of \$12,500,000. The question may be considered whether the greater part of this seventy millions' worth might not have been produced at home, instead of being imported from abroad, all this vast amount of money going out of the country to pay for it. But what a gain to the Dominion it would have been had we produced at home only the half of this consumption of seventy millions' worth.

What the above figures show, may be put in another way, thus: Our average import of iron manufactures generally, including machinery, hardware, and such like, is \$5,500,000 per annum. Our imports of the direct products of the smelting furnace and the rolling mill in the shape of pig iron, bar iron, steel, railway iron, etc., averages \$7,000,000. What is wanted, is something to create a Canadian production of the latter, as well as the former.

We may assume that it is not necessary here to cite figures and statements from recognized authorities to prove the fact that there are in the Dominion vast treasures of iron ore in great variety, of superior quality mostly, and in quantity practically inexhaustible. It may be taken for granted that yourself and colleagues are well enough aware that in Canada we have iron enough in its natural state and that there is no question as to the existence of the raw material, of excellent quality and in unlimited supply, within our borders. Nor is there any question either of the fact that some of our most extensive iron deposits are in localities very convenient of access, and very favorably situated as regards facilities for transportation. What does appear to be the practical question is, however, the topographical relation of these iron deposits to available supplies of fuel for smelting furnaces and rolling mills. The different kinds of fuel used in iron making are these:—bituminous coal and coke, anthracite coal, and wood charcoal. From bituminous coal and coke nearly the whole of Great Britain's immense production of iron is made, while charcoal is used in various countries, and anthracite only in the United States, to any extent worth mentioning. East of Lake Superior our coal deposits, as far as known, are all in the Province of Nova Scotia; but within that comparatively small area there are inexhaustible supplies of bituminous coal only. Anthracite we might bring from Eastern Pennsylvania, but in our view the effort should be made to develop iron production as far as possible from our own resources entirely. Bituminous coal

Mr. DOMVILLE.

we have in quantity sufficient; but a main point to be determined is, how best to bring it and the ore together. There are in Nova Scotia considerable deposits of iron ore, lying near to the coal, and there the convenience of the two, each to the other, is not in question. If, however, coal is to be used in connection with the iron deposits in other Provinces, then the question as to convenience and cost of transportation becomes a practical one. On this point we would suggest that coke, made at the pit's mouth in Nova Scotia, might be cheaply delivered in Quebec and Ontario, at or near the various localities where the principal deposits of iron ore, as far as known, are found. On the Intercolonial and other main lines of railway there are always long trains of empty cars going west, which might, just as well as not carry coke to furnaces and rolling mills in Quebec and Ontario, though, of course, facilities for cheap transportation by water are not to be lost sight of. Coke would be a comparatively clean, light and easily handled freight, and its transportation westwards, in cars which would otherwise go empty, should not cost much. With a view to the development of an important inter-provincial trade which would be of large benefit, both to coal mining down by the sea and to iron production along the line of the St. Lawrence and the lakes, the Government might reasonably grant the best facilities and the lowest rates practicable on the Intercolonial Railway. As bituminous coal must be made into coke before being used in the smelting furnace, and as by taking coke from the pit's mouth an enormous saving in weight to be carried would be effected, the advantages of this plan are obvious enough. The supposed disadvantages of having to carry fuel long distances would, in fact, be reduced one half or more, by the simple plan of carrying the light, clean, and easily handled coke, instead of the heavy natural coal. This relates to fuel for smelting furnaces only; soft or bituminous coal in its natural state being the fuel mostly used in rolling mills, or in the making of bar iron.

With regard to the carrying of coal to the ore, and of ore to the coal, a very general and serious misapprehension prevails. Because in Great Britain and the United States most of the old iron mines and furnaces which have long been worked are in the immediate vicinity of coal deposits, it is popularly supposed that all furnaces are supplied with both ore and coal native to the spot, and that without having the two lying together, iron-making cannot profitably be carried on. A few facts will show that while the bulk of the iron production of these countries is from districts where coal and ore are found near together there is in both, but in the United States especially, a large production from furnaces which are supplied with coal or iron ore, or with both, brought from long distances. Great Britain imports large quantities of iron ore from Norway, Spain, Northern Africa, and other places. The quantity of iron ore smelted in Great Britain in 1879 was 15,797,080 tons, and of this 1,417,343 tons, or nearly 10 per cent., was imported from abroad. And the import of iron ore from foreign countries into the United States is now about six hundred thousand tons annually, valued at about a million and a half of dollars. Ore from the Lake Superior iron region, on the American side, is carried several hundreds of miles to furnaces in Ohio and Pennsylvania; Canadian ore, from the Ottawa district and the county of Hastings, is carried all the way to Crown Point and Troy, in Eastern New York, to the State of New Jersey, to Cleveland, to Pittsburg, and other points even further distant. It is just as easy to carry the coal to the ore as the ore to the coal; nay, easier, we should say, if the plan of first reducing the coal to coke be adopted.

In the Maritime Provinces whatever iron deposits there may be, have the coal so near at hand that there the convenience of the supply is not at all in question. In Quebec and Ontario, however, the cost of bringing coal, or coke, as we suggest, from Nova Scotia will always be an important element in the problem of iron-making. Either soft coal in its natural state, or the coke made from it, must be the fuel for furnaces and rolling-mills, with which a large proportion of Canadian iron is made, if an iron-making country Canada is to be. But the problem of iron-making in Canada is not wholly dependent for its solution upon the supply of mineral coal from any source. There might and should be a very large production of Canadian iron from charcoal, the material for which exists in superfluous, overwhelming abundance in "this wooden country." It so happens that the principal Quebec and Ontario mines, as far as discovered, are situated close beside inexhaustible supplies of waste timber, which is positively of no commercial value whatever, except for the single purpose of making charcoal for iron furnaces. In connection with the increasing demand for charcoal iron, the importance of this circumstance can hardly be over-estimated. Every year the use of iron is extending; every year it is being taken for new uses; and it is a remarkable fact that for these new uses the prevailing demand is for iron of great strength and superior quality, capable of standing heavy and long continued strain. In ship-building, in iron bridges, and for many special-railway requirements, charcoal iron or other iron approaching it in quality is in increasing demand, and the demand is sure to keep increasing very largely in time to come. Still more remarkably increased would the demand for this kind of iron be, should the time come when Governments, with a view to public safety, shall insist upon the use of the best iron only in permanent constructions of all kinds, as well as in railway rolling stock, in all parts of the same where the use of inferior iron might put life and property in danger. That legislation will more and more take this direction in time to come is certain, and equally certain is it that an increasing demand for high-class iron will be the consequence. In strength and resistance to strain and shock charcoal iron is before all other, and therefore its greatly extended use in time to come is a moral certainty. The bearing of all this on Canada's unequalled facilities for the production of the best charcoal iron, in large quantity, is obvious at a glance.

As an exaggerated idea of the importance of anthracite, as an iron-making fuel appears to prevail with some people, it may be well to note

the fact that in the United States the proportion of anthracite furnaces is decreasing, while the proportion of bituminous coal and charcoal furnaces is on the increase. The New York *Iron Age*, a good authority, gives the following figures, showing the number of furnaces of each kind in blast on the first of January, in the years 1880 and 1881, respectively:—

	1880.	1881.
Charcoal .....	93	160
Anthracite .....	165	162
Bituminous .....	126	151

In connection with the statement from which these figures are taken, the remarks of the *Iron Age* are suggestive. "It will be seen," says this excellent authority, "that the number of charcoal and bituminous furnaces in blast this year is greater than at any time within six years, while the number of anthracite furnaces is less this year than last. One of the most marked features of this report is the large number of charcoal furnaces reported in blast. This (the month of January) is usually the season when these furnaces blow out for repairs, or in accordance with a belief that short blasts are better for charcoal furnaces. This year is an exception to the rule. The chief reason for this is doubtless to be found in the heavy demand for cold-blast charcoal iron, arising from large orders for car wheels made from it.

We come here to a point where there are two things to be put together. First, it is shown that the demand for charcoal iron is sure to be a rapidly increasing one. Next, we have the fact that no country in the world can match Canada in natural facilities for the production of charcoal iron. No other iron mines on the face of the globe have such a vast, inexhaustible background of charcoal timber supply behind them as ours. Already, in Sweden and Norway, the supply of charcoal timber is insufficient, and there being no other fuel for the purpose in the country, in order to save the industry from extinction, the Government has interfered to limit the annual make of iron. Other countries, Spain and Algeria, for instance, have iron ore in great quantity, but neither timber nor any other fuel. The inference is clear that Canada needs but to take the right course to become the greatest charcoal iron-producing country in the world. While this should be held established, it leaves untouched the certainty of another fact, that we have within our own borders, and independent of any foreign supply whatever, the material for a production besides of iron from bituminous coal and coke, in quantity to be limited only by the demand for it.

The estimate is made by experts that a blast furnace producing 100 gross tons of iron per day would employ 50 men, at an average of \$1.25 per day wages. This would give:—

Wages paid per annum .....	\$18,750
Value of product per annum .....	600,000

A rolling mill making 100 gross tons per day would employ from 500 to 600 men, at an average per day of \$1.50. This would give:—

Wages per annum .....	\$270,000
Value of product per annum .....	1,050,000

Such estimates as the above may be extended to the various products of iron, through successive stages of manufacture, showing an immense expansion of work and wages for the industrial classes, and the building up of the country's strength, both moral and material.

The high average of wages paid for labor, in connection with smelting furnaces and rolling mills, and the attraction which such employment would have in the way, both of retaining our own population and bringing in more, is a consideration that may well engage the attention of our statesmen. In actual results, no other immigration policy whatever can equal that of providing the powerful attraction of ready work and good wages, to bring in new arrivals, and to retain those who are already here. Create the work and the wages, and to the place where these are, people will flock of themselves, if no disagreeable circumstances forbid. Even very high wages might not suffice to draw English, Irish and Scotch emigrants, or emigrants from anywhere in Europe north of the Alps, to anywhere in America south of the Potomac, and to keep them there. But in Canada, if only plenty of work at fair wages be secured them, emigrants from anywhere in Northern or Central Europe find themselves at home and contented at once. Not only as a means of increasing population, but also of developing a back-bone of material strength for the Dominion, the importance of making iron for ourselves, in our own country, and from home materials, can be overrated. Not alone the labour directly employed in iron-production, but the employment which this industry creates for various interests outside, should be considered. Take for instance one item, the gain to railways and other agencies of transportation alone. Before the Committee of Ways and Means at Washington, last year, evidence was given respecting the outlay made at home by one single industry, that of the production of Bessemer steel, in connection with which the following figures were cited:

Capital invested .....	\$30,000,000
Wages annually .....	7,500,000
Paid annually for freight, mostly to railways .....	8,000,000

Leaving out scrap iron, the Bessemer steel works created a market for the following materials, one year's supply:

	Tons.
Pig iron .....	757,345
Spiegeleisen .....	67,403
Coal and coke .....	2,200,000
Iron ore .....	1,250,000
Limestone .....	600,000

The interest which railways and other transportation lines have in iron-making at home is no small matter. Making iron abroad creates business for foreign railways; making it at home creates business for our own railways. Above we see the item of eight million dollars paid in one year to American railways and vessels by the Bessemer steel works; were there no such works in America the greater part of this sum would have gone to European railways instead.

In the year 1870 the American Congress imposed on Bessemer steel rails a duty of 1½ cents per pound, or \$23 per gross ton. That year the American production was only 39,357 tons, and the home price \$106.75 currency, or about \$94 gold per ton. In 1880, ten years after, 917,592 tons were produced in the country, and the average home price was about \$50 per ton. By the duty a large American production, which otherwise would not have existed at all, has been created. Through this American production being added to the English production, the price of steel rails has been reduced one-half. In this case protection has had the effect of making the article, not scarce and dear, as some contend, but abundant and cheap. It would be strange indeed if doubling the capacity of manufacture were to raise the price. The Bessemer steel works of the United States have now an aggregate producing capacity fully equal to that of the English works, and this addition to producing capacity has been wholly created by the duty.

The size of the Bessemer steel industry in the United States, and its present magnitude and importance, are shown by the following figures:—

#### Production of Bessemer steel ingots during nine years:

	Net tons.
1872 .....	120,108
1873 .....	170,652
1874 .....	191,133
1875 .....	375,517
1876 .....	525,996
1877 .....	560,587
1878 .....	732,226
1879 .....	928,972
1880 .....	1,203,173

#### Production of Bessemer steel rails, same period:

	Net tons.
1872 .....	91,075
1873 .....	129,014
1874 .....	144,943
1875 .....	290,861
1876 .....	412,469
1877 .....	432,160
1878 .....	550,349
1879 .....	683,968
1880 .....	917,592

The *Weekly Bulletin*, which is published at Philadelphia by the American Iron and Steel Association, states as a certainty that, large as the Bessemer steel production of 1880 was, it will be greatly exceeded in 1881.

It is our firm belief that the way to cheap iron, by the creation of a new Canadian supply, in addition to the existing British and American supply, lies through such a measure of protection as will suffice to bring this new Canadian supply into existence. And from inquiries made we believe, further, that such a measure of protection, sufficient to create this new Canadian production of iron, would be found in the imposition of duties on the following basis, namely:—\$3.50 per ton on pig iron, with a proportionate increase on bar iron and manufactures of iron. But, while asking for this increase of duties, we do not by any means admit that there would be any permanent rise in prices to consumers in consequence. Fortified by the lessons of experience, many times repeated, we hold it certain that a new or largely increased Canadian production in the various lines of iron-making and iron manufacture would soon bring about the result of more abundant supply and lower prices than before. But without a safe and sufficient basis of protection to rest upon it is idle to expect that capitalists will sink large amounts of money permanently in such costly fixtures as blast furnaces and rolling mills. We have spoken of some small beginnings already made in Canada, but these are only experiments as yet—experiments that may not be very long continued, unless iron-making be placed on the same satisfactory footing as most branches of manufacturing industry already are in Canada. The collapse of these new enterprises would be a most undesirable result, and both at home and abroad would injure greatly the prestige of Canada's new National Policy, now in the way of being made conspicuously successful before the world. The present Government has definitively adopted and boldly acted upon the general principle of building up home industries in the mass by means of protection, with, as we believe, the hearty support and approval of the Canadian people. And what we now ask is that the same principle be extended to the iron making as well as to the iron manufacturing and other industries. We hold that the logic of our country's position requires that we take this other step forward in the path of industrial legislation, lacking which the National Policy still remains incomplete. The present duty of \$2 per ton on pig iron merely adds so much to what the consumer has to pay for it, while it falls short of being enough to benefit him by the creation of a new Canadian production of the article, in addition to the supply from present sources. After much consideration of the subject, we come to this conclusion, that what will best suit Canada's circumstances is the imposition of the proposed increase of the duty on pig iron, with other changes to correspond. And we believe we are warranted in assuring the Government that, were

the changes made which we suggest, capital for the enterprise of iron making in Canada on a large scale would be forthcoming at once, and that very soon the success of the new step forward would be established by results. Hoping that the Government may see the way clear to such legislation as is above indicated,

We remain,  
Your most obt. servts.,  
JAMES DOMVILLE,  
Chairman.

Edward Haycock,  
Secretary.

March 1st, 1881.

Signed besides by nearly forty members of the House of Commons.

Sir LEONARD TILLEY. I can assure my hon. friend and those who are acting with him that the Government will give the memorial their serious consideration between now and the next Session of Parliament; but I may say that we have given it a good deal of consideration this Session, in consequence of the representations which have been made to us by the hon. gentleman and others. I wish, however, to call his attention to one difficulty which we experience in dealing with the matter. One of his propositions is that scrap iron, etc., should either be admitted at a low rate of duty or free altogether, and it is also suggested that we should have a high rate of duty upon pig iron for the purpose of encouraging the establishment of furnaces. I ask him to consider this question: assuming that we admit scrap iron—which is really the raw material—free, what encouragement there will be for the establishment of furnaces. The question is a very difficult one, but I can assure the hon. gentleman it will receive our earnest consideration during the recess.

Mr. DOMVILLE. The House will perhaps allow me a word or two in reply. I claim that in the adjustment of the Tariff there was not sufficient difference made in order to enable us to be on the same-basis as before; and we ask to be placed upon that basis. We believe that while a duty of only \$2 a ton is put on pig iron, the Londonderry Iron Works have practically a monopoly, and they will not offer sufficient inducement to anybody else to put up blast furnaces, because they say that with a duty of \$2 per ton they have a market, and if you give us \$3.50 we have an assured market, we know that we have an assured consumption and we can afford to sell iron as cheap as it is sold to-day. We do not ask the difference in the duty as a bonus to ourselves; all we ask is an assured market. The Londonderry Iron Works have really no competition, because the duty has been so placed that no one else would put up works on an uncertain market. They are unable to sell pig iron and they follow two trades for they are not only pig iron producers, but they enter into competition as manufacturers of iron, for they have a rolling mill; and while they decline to sell pig iron to those who are engaged in the rolling mill trade, they use it themselves, and say they ought to be protected because they are producers of pig iron. You find that in running these furnaces they produce four classes of iron, Nos. 1, 2, 3 and 4; and they only produce of No. 4, iron fit for puddling enough for their own use; they have none to sell, and consequently they enjoy a monopoly. When the Finance Minister framed his Tariff it would have worked admirably on a high rate of duty, but when the market rules low, it rules very severely against us.

On item 8, "Wrought Iron Tubing," after the word "Manufactured," insert the words, "over two inches in diameter," and after the words "per cent.," add the words, "two inches in diameter, or under, coupled and threaded or not, twenty-five per cent. *ad valorem*."

Mr. PATERSON (Brant). I thought that perhaps I had prevailed on the hon. gentleman to exempt boiler tubes.

Sir LEONARD TILLEY. My hon. friend's persuasive powers are very great, but he has not succeeded in persuading me.

Mr. DOMVILLE.

Mr. PATERSON. I regret it exceedingly, because I had been led to expect, from his remarks, that as the tubing of which I had spoken and which enters largely into the manufacture of boilers in this country, he would consent to exempt it. I consider that it is a great injustice to manufacturers that they should have to submit to an additional ten per cent. duty on what, to them, is their raw material, and for the benefit of no one. There is a manufactory about to be established in the country to produce the butt-welded tubing, but it will not produce the lock-welded tubing, and it is simply increasing the cost of an article entering into their manufacture. I consider it is my duty to put before the country the position in which this matter stands, and I propose to read the testimony of these manufacturers, in order that we may understand the full nature of this resolution. If this course is forced upon me it is not my seeking; I attempt nothing in a factious manner. It is a point that ought to have been yielded, and would have been if the hon. gentleman had been consistent with his own principles. I have here telegrams and letters from the largest manufacturers of boilers in the country. All these gentlemen state that they use this lock-welded tubing to a large extent, and that the proposed increase of duty will be a great hardship to them. Mr. McDougall, of Montreal, writes as follows:—

"Wm. Paterson, Esq., M.P.,  
"Ottawa.

"DEAR SIR,—In reply to your enquiry, I beg to state that the increase in the duty in 2-inch and smaller tubes will not affect me much, as the boilers I manufacture are principally of the largest class, and the tubes used by me are 3-inch and larger sizes. Manufacturers of locomotive boilers, portable and small stationary and furnace boilers will be seriously affected, as the tubes they use are 1, 1½, 1¾ and 2 inches. Butt-welded pipe, I understand, is to be made here, but lap-welded tubing cannot be manufactured in this country, and, on that account, I cannot see what object the Government has in increasing the duty on the latter.

"I am, dear Sir,  
"Yours respectfully,  
"JOHN McDOUGALL."

The next letter is from the Superintendent of Stores of the Grand Trunk Railway, who writes:

"GRAND TRUNK RAILWAY OF CANADA,  
"OFFICE OF THE GENERAL STOREKEEPER,  
"MONTREAL, 28th February, 1880.

"Wm. Paterson, Esq., M.P.

"DEAR SIR,—In reply to your enquiry, I beg to say that the sizes of lap-welded tubing used by us for locomotive boilers are as follows: 1½, 1¾, 1¾ and 2-inch diameter, respectively. If the duty on tubing is advanced it will be a serious tax on this Company. An increase in the duty on butt-welded tubing would not affect us very much, as that class of tubing is not largely used on railways.

"Yours truly,  
"J. TAYLOR,  
"General Storekeeper."

Then we have a letter from the Secretary-Treasurer of the Canadian Locomotive and Engine Company:

"MONTREAL, 18th February, 1881.

"Wm. Paterson, Esq., M.P.,  
"Ottawa.

"DEAR SIR,—In reply to your enquiry respecting lap-welded tubing, I beg to say that the proposed increase of duty, if applied to lap-welded tubing, will seriously affect our business, the total protection we have being only 25 per cent. on a finished locomotive, a large portion of our material having to be imported. In tubing we use principally 1½, 1¾, 1¾ and 2-inch. Butt-welded tubing we do not use.

"Yours truly,  
"JNO. W. PIKE,  
"Secretary-Treasurer."

Another letter is from the Montreal Rolling Mills Company, as follows:

"MONTREAL, 28th February, 1881.

"Wm. Paterson, Esq., M.P., House of Commons,  
"Ottawa.

"DEAR SIR,—At the request of the Montreal Rolling Mills Company, I addressed to them on the 22nd December last, an answer to their enquiry as to how our business as boiler-makers and steam-fitters would be affected

by an increase of duty on iron tubing, and therein distinctly stated that any increase of duty on boiler or lap-welded tubing would be injurious to our trade, and only otherwise in regard to butt-welded piping, in case their proposed works were sufficiently extensive to abundantly supply the market. As the boiler tubing is a very considerable item in the construction of most modern forms of boilers, a duty on that article, approximately to the duty upon the complete boiler, would expose us to severe and injurious competition, from our neighbors south, of 45 per cent. For locomotives and small stationary and portable boilers, tubes of  $1\frac{1}{2}$ ,  $1\frac{3}{4}$  and 2 inch are the standard sizes.

"I am, dear Sir,

"Yours very respectfully,

"JOHN BRUSH."

I have also a telegram from another large manufacturing firm, the Waterous Engine Works Company, who state that they used 80,000 of this lock-welded tubing during the past year. I hope the hon. gentlemen opposite who are Protectionists, and who profess to regard the manufacturing interests of this country, will take notice of this point. The tubes are a large proportion of the cost of the finished boiler. The duty on the finished boiler is 25 per cent. The Minister proposes to increase the duty on that which is a large proportion of the finished article, to precisely the same amount as the duty on the finished article. One of the manufacturers says it would be better for them to make their boilers in part in the United States, and bring them in, or remove their works to the other side of the line, for they could send in the finished article as cheap as they could make it under this proposed addition to the material they import. Yet gentlemen professedly acting in the interests of manufacturers are found to initiate legislation of this kind. I point out the matter distinctly, so that when I offer the resolution I shall strictly submit as an act of justice to these manufacturers, hon. gentlemen opposite may thoroughly understand it. A large proportion of the raw material of all the large boiler establishments, the Kingston locomotive works, the Grand Trunk Railway, and all the large machine shops in the different towns, is this lock-welded tubing, on which they have only a protection of 25 per cent. on the manufactured article, while the Government now propose to increase the duty on the raw material to the same amount. That is protection to the manufacturers with a vengeance; that justifies the statement I have from time to time repeated in this House, that under the guise of protection to the manufacturers, with the exception of a few industries, the policy of this Administration tends to depress and crush every manufacturing industry we have in this country. Among the largest manufacturing industries in this country are our iron works, foundries, boiler shops, and so forth, and the Minister proposes to inflict a crushing blow on them, and for what purpose? Merely, I believe, because he has information that a firm in Montreal intends to invest some \$10,000 in the manufacture of butt-welded tubing. I do not ask that he should not give to these men, who are thus investing their capital, the full benefit of the duty, but do not put a duty on lap-welded tubing, which this company do not propose to make, which no company will for many years be able to make, for the simple reason that there is not room in Canada for even one manufactory of lap-welded tubing. Yet the hon. gentleman proposes to tax this article, which is the raw material of manufacturers who are employing hundreds, if not thousands, of men in the country, and thus depriving them of what protection they have. If I asked the boiler-makers, and the foundry-men engaged in this class of work, the answer would be unanimous that under this Tariff they are not receiving anything like the amount of protection which they received under the previous Tariff. Their pig iron has been advanced \$2 a ton.

Mr. DOMVILLE. Pig iron has not advanced \$2 a ton.

Mr. PATERSON. The Government have advanced it \$2 as far as they could. The price may have gone down, but if the \$2 had not been imposed it would be \$2 cheaper. I

trust that hon. gentlemen have had their eyes opened by this time as to who pays the duty. The very Estimates they brought down for bridge-materials show that they know that the consumer pays the duty. The duty on bar iron, boiler-plates, and other tubing was raised. Hon. gentlemen are going in the contrary direction to their enunciated policy. They have failed in protecting the agricultural and other industries which they promised to protect, and in the manufacturing industry they have given additional protection in only two or three lines. Over three-fourths of the manufacturers of this country are in a worse position under the operation of the hon. gentleman's Tariff than they were before. That is beyond controversy, and the manufacturers themselves will bear testimony to the fact. If the country were obtaining any additional revenue by the adoption of the policy, we might stand it; but the country's revenues have not been increased. My argument is directed, not against this new manufactory of butt-welded tubing, but against putting an additional 10 per cent. duty on lap-welded tubing which they do not profess to make, and in favor of an industry already in existence and employing its hundreds, if not its thousands, of artisans in the workshops of the Dominion. I beg, therefore, to move:

That the said item be amended by exempting lap-welded tubing from the proposed increase of duty.

Sir LEONARD TILLEY. The hon. member appealed to me on a former occasion in reference to this matter, and he seemed surprised that I did not accept his proposal. He intimated also that it was because he occupied a seat on the Opposition benches. Well, if there is anything in the intimation made by the leader of the Opposition not long ago, that forty gentlemen on this side of the House asked the Government to do certain things, and the Government did not see their way clear to do them, the hon. gentleman cannot feel that the Government refused to accept his proposal because he made it. Persuasive as the hon. gentleman's powers are, if the Government felt inclined to accept his proposal, they would certainly receive it with less consideration, when coming from an opponent who did not profess to entertain the same opinions as we do on the subject of Protection, than if it came from a gentleman who believed with us and supported our policy. The policy laid down by the Government from the beginning, and accepted by this House, is this—that when we can manufacture an article in this country, that article should be protected. To the present time, lap-welded and butt-welded tubing have not been made in Canada, and we imposed on that article  $2\frac{1}{2}$  per cent. less duty than we did on sheet and bar iron, thus giving an advantage to that extent to those to whom the article was a raw material. But when parties can be found to invest their money in an establishment for the manufacture of this article, we are prepared to give them the advantage of an increase in the duty to the extent of  $2\frac{1}{2}$  per cent. We knew that welded tubing was not made by this company; but a large portion of this lap-welded tubing is used for boilers for steam vessels, and most of the lap-welded tubing is above two inches. All the boiler-makers in Canada are using two-inch and upwards for their boilers. The foundry-men are not interested. All the lap-welded tubing of two inches entering into steam boilers will come in at the present rate of duty. But this establishment is prepared to manufacture butt-welded tubing of two inches used for small boilers, for gas and water purposes. Great difficulty has arisen among collectors of customs in regard to designating lap-welded and butt-welded. After giving the matter full consideration, the Government are prepared to allow the resolution to stand as it is, and to ask the House to sustain them.

Mr. KILLAM. The Finance Minister has failed to make out a case. I am well acquainted with boiler-makers and

foundry-men, and they are dissatisfied with the policy pursued by the Government on this question. Only a few days before I left for Ottawa I had the pleasure of meeting a gentleman who is engaged both in the business of boiler-making and managing an iron foundry. We talked about the protective policy, and towards the close of the discussion he said, "I am inclined to think after all that a moderate protective policy is at all events an advantage to your business." I said, "What do you call a moderately protective tariff?" "Well," he said, "something about like we had in Nova Scotia before Confederation." That is a moderately protective tariff, and if one of the largest manufacturers of iron in the Maritime Provinces held that opinion it is a practical condemnation of the doctrine of the Minister of Finance. On the way to Ottawa I met a manufacturer of stoves, agricultural implements and other iron goods, who said, in answer to my enquiry as to how the Tariff affected his business, that everything in connection with the Tariff seemed to be framed against the interests of Canadian manufacturers, and that he did not see there was anything to be done except to get rid of the Tariff and Government together. The Finance Minister's Tariff is growing from day to day, until it will, before long, equal in size that of the United States. The result will be to prevent our trade with other nations and reduce us to the Chinese condition of dealing only with ourselves.

Mr. GAULT. There are over 25 per cent. more people employed in manufactures in Montreal this year than in 1874-5-6-7, and every manufacturer there is doing well. We hear hon. gentlemen opposite talking about people having left the country: had it not been for the National Policy there would have been a veritable exodus, which they would have had occasion to deplore.

Mr. PATERSON (Brant). The hon. Finance Minister has not answered the question. I can understand the position that if a new manufactory is started, the duty, according to the Protectionist theory, should be increased on the imported article so as to afford protection to the manufacturer. But this is an article that is not and will not be made in the country, and therefore it is no part of his policy that it should pay duty. He made the statement that this tubing under two inches was not used by the boiler-makers of this country. I have read evidence from the largest firms that it is used largely by them and exclusively, and that welded tubing is not used by them at all. The hon. Minister attempted to make out this must be a small matter because I admitted that no manufacture of this tubing will be in the country, because the quantity used being so small would not supply enough business for it; but the reason is that lap-tubing, to be made profitably, has to be made on a large scale, and with very expensive machinery, and no man in Canada will invest capital enough to enable him to manufacture it in such quantities as to compete against the immense works in which it is manufactured in other towns. The hon. Finance Minister will have the satisfaction of reflecting that he is carrying out, in spite of the protests of the largest manufacturers of the country—to be counted not by one's or two's, but by the score—a policy in this resolution in favor of men who come to him and, according to his own statement, misled him in order to get that provision in the resolution. He is flying in the face of the manufacturers to please men who, according to his own testimony, told him what is not true.

Amendment negatived on the following division:—

YEAS:		
Messieurs		
Anglin,	Dumont,	Rinfret,
Béchar, d,	Fleming,	Robertson (Shelburne),
Blake,	Gilles,	Rogers,
Borden,	Gillmor,	Rymal,
Bourassa,	Holton,	Sutherland,

Mr. KILLAM.

Brown,  
Curpee (Sunbury),  
Cameron (Huron),  
Cartwright,  
Casgrain,

Huntington,  
Killam,  
Mills,  
Olivier,  
Paterson (Brant),

Thompson,  
Trow,  
Weldon,  
Wheler.—29.

NAYS:  
Messieurs

Arkell,  
Baker,  
Bannerman,  
Beaty,  
Benoit,  
Bergeron,  
Bolduc,  
Bourbeau,  
Bowell,  
Brecken,  
Bunster,  
Bunting,  
Carling,  
Caron,  
Cimon,  
Costigan,  
Coughlin,  
Coupal,  
Daly,  
Dawson,  
Desaulniers,  
Desjardins,  
Dumville,  
Drew,  
Elliot,  
Farrow,

Ferguson,  
Fitzsimmons,  
Gault,  
Gigault,  
Girouard (Jac. Cartier),  
Haggart,  
Hay,  
Hesson,  
Hooper,  
Houde,  
Jones,  
Kranz,  
Landry,  
Lane,  
Langevin,  
Longley,  
Macdonald (Sir John),  
McDonald (Cape Breton),  
McDonald (Picou),  
Macmillan,  
McCallum,  
McKay,  
McLennan,  
McRory,  
Manson,  
Masson,

Merner,  
Méthot,  
Montplaisir,  
Mousseau,  
O'Connor,  
Orton,  
Ouimet,  
Patterson (Essex),  
Plumb,  
Pope (Compton),  
Richey,  
Rouleau,  
Royal,  
Scott,  
Shaw,  
Skinner,  
Stephenson,  
Tilley,  
Vallée,  
Valin,  
Vanasse,  
Wallace (Norfolk),  
Wallace (York),  
Williams.—77.

Resolutions read the second time and concurred in.

CUSTOMS AND EXCISE DUTIES ACT AMENDMENT BILL.

Sir LEONARD TILLEY introduced a Bill (No. 105) to amend the Act 42 Victoria, cap. 15, and 42 Victoria, cap. 18, entitled an Act respecting the duties of Customs and Excise.

Bill read the first, second and third times and passed; and (at 1:15 o'clock, a.m.) the House adjourned.

HOUSE OF COMMONS,

FRIDAY, 18th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

A NEW LOAN.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolution:

That it is expedient to authorize the Governor in Council to raise, by way of loan, under the provisions of the Acts 35 Vict., Chap. 6, and 38 Vict., Chap. 4, a sum of money not exceeding in the whole, eighteen million dollars, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, as set forth in the Act 43 Vict., Chap. 10, Sec. 4.

He said: This is simply to provide for the sums that have been voted to be expended on capital for the redemption of the debt during the year. I thought at one time of proposing a Bill by which all power and authority that was given with regard to the issue of debentures, except £600,000 sterling, which was guaranteed, would be placed in a general Act covering the whole; but this Bill asks authority to issue a loan sufficient to cover the amount, supposing we expended all that was voted for the redemption of the debt during next year.

Sir RICHARD J. CARTWRIGHT. What now remains unborrowed and negotiable under 43 Vict.?

Sir LEONARD TILLEY. I am not prepared at this moment to state the amount. There will be at the close of the fiscal year some unused authority to issue, but it will be used if required under this Bill. If the Canadian Pacific Railway Company deposit with the Government \$25,000,000 there will be no loan negotiated, but we do not know that money will be deposited, and therefore authority must be taken.

Sir RICHARD J. CARTWRIGHT. The House should know the amount remaining unused, and I do not think there will be much difficulty in ascertaining that amount. I see, by Section 4, Chap. 10, 43 Victoria, the hon. Minister of Finance then considered he had authority to borrow \$23,645,000. So that \$18,000,000 in addition would give him power to borrow \$41,000,000, unless there is some error in the Act which does not appear at first sight.

Sir LEONARD TILLEY. The hon. gentleman will bear in mind that since that Act was passed the authority given has been used to a considerable extent. I think I can ascertain in a few moments the authority remaining unused under the Act.

Sir RICHARD J. CARTWRIGHT. If I understand the hon. Finance Minister aright, he proposes to do away with all those payments and ends of loans heretofore negotiated. I think that is desirable. Questions might arise as to some of those loans which were given for a great many different purposes, and I should hold it doubtful whether he could devote to general purposes many of those loans. But still, I think, he had better obtain for us, before he puts this Resolution through, a statement of what is available under existing circumstances.

Resolution considered in Committee, reported, read the second time and agreed to.

Sir LEONARD TILLEY introduced Bill (No. 106) to authorize the raising by way of loan of certain sums of money required for the public service; which was read the first and second time.

#### SATURDAY SITTING.

Sir JOHN A. MACDONALD. The arrangement made across the floor of the House, last night, was that we should meet to-morrow, to look at the business on the paper and have interchanges of messages with the other branch of the Legislature. For that purpose I do not think it is necessary we should meet at noon on Saturday. Therefore, I move that when the House adjourns to-day, it stand adjourned until to-morrow at three o'clock.

Motion agreed to.

#### THIRD READING.

The following Bill was read the third time and passed:—

Bill (No. 103) an Act to amend the Indian Act, 1880—(from the Senate)—(Sir John A. Macdonald.)

#### PAYMENT OF THE ONTARIO JUDGES.

Mr. BAKER enquired, Whether any correspondence has taken place between the Dominion and the Ontario Governments, respecting the payment by the latter to Ontario Judges of money not appropriated to their use by the Parliament of Canada; and if so, is it the intention of the Government to bring down that correspondence during the present Session?

Mr. MACDONALD (Pictou). The only correspondence we possess is a despatch from the Lieutenant-Governor of Ontario, with the resolution of the Ontario Legislature, which I now lay on the Table.

Mr. BAKER enquired, Whether the Government of Canada has taken or intends to take any measures to stop

the Ontario Judges from receiving, from any source whatever, payments of money not appropriated to their use by the Parliament of Canada?

Sir JOHN A. MACDONALD. The Government have not at present the intention of taking any action in this matter.

#### IMPORTATION OF WHEAT IN BOND.

Mr. WHEELER enquired, Whether it is the intention of the Government to amend the Order-in-Council, dated 21st day of April, 1880, respecting the importation of wheat in bond for milling purposes, so as to remove any doubt of such wheat being ground and sold for consumption in Canada, without the duty having been paid thereon?

Mr. BOWELL. The Order-in-Council, dated 21st April, 1880, provides that no imported wheat manufactured in Canada, into flour, can go into consumption in Canada, unless the duty has been paid. Hence there is no necessity for changing it.

#### MANITOBA BOUNDARIES.

Sir JOHN A. MACDONALD, in moving the second reading of Bill (No. 98) an Act to provide for the extension of the boundaries of the Province of Manitoba, said: At the time when this Province was first marked out and separated from the great North-West, it was provided with very circumscribed boundaries, because its population was small and concentrated, principally within the limits then given it. But the opinion was general that those boundaries must be merely temporary. The late Province extended eighty-seven miles to the west of Winnipeg, and forty-five miles to the east, and 102 miles to the north, from the international boundary, and contained 13,464 square miles. Upon the west, the line proposes to run a little west from the international boundary—considerably west of the 101st meridian—between the 29th and 30th ranges of townships, that being selected as the line up to which there are settlements. West of the 29th range the country is of a different description though it is not broken, and it is without settlers. The clauses of the Bill are as follows:—

1. The Province of Manitoba shall be increased as hereinafter defined, that is to say, so that the boundaries thereof shall be as follows:—“Commencing at the intersection of the international boundary dividing Canada from the United States of America by the centre of the road allowance between the 29th and 30th ranges of townships lying west of the first principal meridian in the system of Dominion land surveys; thence northerly, following upon the said centre of the said road allowance as the same is or may hereafter be located, defining the said range line on the ground across townships one to forty-six, both inclusive, to the intersection of the said centre of the said road allowance by the centre of the road allowance on the twelfth base line in the said system of Dominion Land surveys; thence easterly along the said centre of the road allowance on the twelfth base line following the same to its intersection by the easterly limit of the District of Keewatin, as defined by the Act thirty-ninth Vict., Chap. twenty-one, that is to say, to a point where the said centre of the road allowance on the twelfth base line would be intersected by a line drawn due north from where the westerly boundary of the Province of Ontario intersects the aforesaid international boundary line dividing Canada from the United States of America; thence due south, following upon the said line to the international boundary aforesaid; and thence westerly, following upon the said international boundary line dividing Canada from the United States of America, to the place of beginning,” and all the land embraced by the said description, not now within the Province of Manitoba, shall, from and after the passing of this Act, be added thereto, and the whole shall, from and after the said date, form and be the Province of Manitoba.

2. The terms and conditions upon which such increase is made are as follows:—

(a) All the enactments and provisions of all the Acts of the Parliament of Canada which have, since the creation of the Province of Manitoba, been extended into, and made to apply to the said Province, shall extend and apply to the territory by this Act added thereto as fully and effectually as if the same had originally formed part of the Province and the boundaries thereof had, in the first instance, been fixed and defined as is done by this Act.

(b.) The said increased limit and the territory thereby added to the Province of Manitoba, shall be subject to all such provisions as may have been or shall hereafter be enacted, respecting the Canadian Pacific Railway and the lands to be granted in aid thereof.

3. All laws and ordinances in force in the territory hereby added to the Province of Manitoba at the time of the coming into force of this Act, and all Courts of civil and criminal jurisdiction, and all legal Commissions, powers and authorities, and all officers, judicial, administrative and ministerial existing therein, at the time of the coming into force of this Act, shall continue therein as if such territory had not been added to the said Province; subject, nevertheless, with respect to matters within the legislative authority of the Legislature of the Province of Manitoba, to be repealed, abolished or altered by the said Legislature.

4. This Act shall come into force only upon, from and after a day to be appointed, in that behalf, by proclamation of the Governor published in the *Canada Gazette*.

I move the second reading of the Bill.

Mr. MILLS. I think this is a very important measure, and I greatly regret that the hon. gentleman did not submit the measure to the attention of Parliament at a time when it could be freely considered, and when all the members of the House were present, so that they could have taken part in the discussion of a measure which is of very great consequence. Hon. gentlemen will remember that, for some time past, there has been a dispute between the Government of Ontario and the Government of Canada in reference to the limits of the Province of Ontario; that, before the hon. gentleman had negotiated with the Hudson Bay Company for the acquisition of the North-West Territory and Rupert's Land, he and his colleagues contended that the territories belonging to the Hudson Bay Company were in the immediate vicinity of that Bay, and that over the great region of the North-West they had no other claim than that of mere occupation. The hon. gentleman also contended that the Province of Ontario extended indefinitely westward. That contention will be found in a report made by the Commissioner of Crown Lands in 1857, I think, and also in communications addressed to the Colonial Secretary, by the colleagues of the hon. gentleman, viz.: Sir George Cartier, and Hon. William Macdougall. If the House will look at what was done at even an earlier period, they will find that negotiations were carried on with the Indians, and that a treaty was concluded for the surrender of the territory lying to the north-west of Lake Superior to the source of the Pigeon River, or to the height of land. A considerable portion of the land so surrendered was surveyed; it was marked out for settlement; it is occupied by a considerable population, and when the Province of Ontario was divided into electoral divisions, under the British North America Act, the people in this territory lying to the westward of the line which the hon. gentleman has recently contended is the western boundary of Ontario, were given representation in this Parliament, and in the Local Legislature, as part of the Province of Ontario. The hon. gentleman when he was in power before, opened negotiations with the Government of Ontario with a view of settling the question of the boundary. In a communication with the hon. gentleman addressed to the Lieutenant-Governor of Ontario he intimated that the height of land north of Lake Superior and Lake Huron was the boundary of the Province of Ontario on the north, and that the western boundary was a line drawn due north from the junction of the Ohio and Mississippi Rivers. That was the first political document we have in which this contention was ever put forward. The Government of Ontario dissented from the view of the hon. gentleman, and refused to appoint surveyors or lay down a boundary on the line indicated in his communication, as they considered that neither the height of land, on the north, nor the meridional line on the west, marked the true limits of the Province. But when the hon. gentleman retired from office in 1873, the secretary of his Government, Mr. Aikins, had some communication with the Commissioner of Crown Lands. They agreed that a conventional boundary should be established, pending the settlement of the dispute with reference to the boundaries of Ontario; but an Order in Council was passed to give effect to their agreement. Subsequently, however, an Order in Council was passed, and

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that Order in Council declared that, for certain purposes, until the question of the limits of Ontario was finally disposed of, there should be a conventional boundary. The western extremity of Hunter's Island to the 51st parallel, and that parallel was declared to be the northern boundary. The hon. gentleman before his retirement had also suggested that the question should be referred to the Judicial Committee of the Privy Council, that proposition was not accepted. It was thought that an inquiry into the facts, which would occupy a very great deal of time, would be inconvenient to a body having so much to do as the Judicial Committee; and it was proposed that arbitrators should be chosen and that they should be authorized to investigate the question, and decide upon the true boundaries of Ontario to the north and the west. The arbitrators were appointed. I need not go on and relate the various communications that took place between the Government of Ontario and the Government of Canada upon the subject. One arbitrator was appointed by each Government, and Sir Edward Thornton was chosen, by the consent of both, to act as third arbitrator. The question was investigated on behalf of each Government; it was argued before these arbitrators and an award was made. No steps have ever been taken to confirm that award, on the part of the Government of Canada, so far as I know. The hon. gentleman has not entered into any communication with the Government of Ontario on the subject. Both last Session and this Session, we have moved for papers on this matter, and, certainly, if the hon. gentleman was dissatisfied with the award that had been made, it was his duty to take the initiative in having it set aside, and having the question finally disposed of between the Government of Ontario and the Government of Canada. We know that, not only with regard to the disposal of property, not only with regard to the explorations, survey, and settlement of the country, have great inconveniences arisen, that inconveniences have also arisen in connection with the administration of justice. I have already mentioned that a conventional boundary for certain purposes was created, and that it was to remain for these purposes the boundary between the Province of Ontario and the Dominion, each acting as trustee for the other, in case a different line should be finally awarded with reference to the lands and property on their respective sides of this boundary line. Well, Sir, this compact between the parties has all the force of an ordinary law, it has all the force of a true obligation, and I have not yet seen or heard that any communication has been made from the Government of Canada, that they intend to disregard that conventional line. If the hon. gentleman intended to repudiate that line, if he intended that the treaty made between the two Governments should no longer subsist, and that it should be disregarded, we would expect that he would have communicated that fact to the Government of Ontario and to this Parliament. The hon. gentleman, in the Bill which he has submitted, has referred to the Act 39 Vict., Chap. 21. I do not know exactly what the hon. gentleman intends by the Bill to be eastern boundary of the Province of Manitoba, but looking at the speech made by his colleague in the Senate, it is clear the hon. gentleman intends that Manitoba shall be bounded on the east by the meridian line drawn north from the junction of the Ohio and Mississippi River. That view, while it is clear from the speech of the Postmaster General, is the intention of the Government by this Bill, it is not, I may say, the boundary that was marked out by the Act to which the hon. gentleman referred. That Act was subsequent in point of time to the convention between the two Governments, and referring to a line in consonance with the line marked out by the convention. I think it is pretty clear that the Act he refers to does not mark the boundary which is indicated in the Bill now before the House. However this may be, it is pretty clear that the

hon. gentleman proposes by this Bill to hand over to the Province of Manitoba a large section of a country that was awarded to Ontario by the arbitrators. I do not believe that any gentleman who will take the trouble of looking at the Quebec Act and the circumstance which gave rise to that law, can doubt that that section of the country belongs to the Province of Ontario. Why has the hon. gentleman, at this last day of the Session, so far as this House is concerned, submitted a measure which he proposes shall be an act of spoliation, so far as Ontario is concerned? The hon. gentleman has not only disregarded the obligations entered into by the Government, he has not only disregarded the convention to which this Government stands pledged, until he formally notifies the Government of Ontario that he does not intend any longer to be bound by that convention, but he proposes, if he can, to provoke a conflict between the Province of Ontario and the Province of Manitoba on this question. The hon. gentleman has distinguished himself in political life for arraying one section of the Dominion against another, and now he proposes on a large scale to repeat the policy of a former period. I can well understand what the hon. gentleman intends. But there is no one on this side of the House who is opposed to the extension of the Province of Manitoba, or who wishes to give her narrower limits than the people of that Province desire, but so far as I know what they wish is an extension westward into the fertile territory, that is, the possession of territory which is capable of settlement, and which, by affording the means of settlement, will increase the wealth of that Province for the purposes of Provincial Government. There has been an award made by a gentleman who had no interest in favoring one party or the other, but the hon. gentleman proposes to disregard that award. If he were disposed to act fairly toward the Province of Ontario he would have notified them of his objections, because, as the defeated party, it rests upon him in appealing from the award, to take the question to the Judicial Committee of the Privy Council, or to ask for its being reheard before another body of arbitrators. But this the hon. gentleman has not done. He has not take a single step toward the solution of this difficulty, but by mere brute force—if I may use that expression—he has undertaken to legislate on the question as if this territory was the undisputed possession of the Parliament of Canada. He proposes to hand over to the Province of Manitoba that territory, in order that she may be made a party to the conflict in the discussion. How is this question to be dealt with in the future? The hon. gentleman, once he creates a Province extending indefinitely eastward, cannot take, by agreement or compact with Ontario, that view of settling this question. He has introduced another party, and has withdrawn himself. The Dominion Government will have no claim to the territory which is in dispute, and he will have transferred to Manitoba the question at issue at the present time between the Parliament of Canada and the Province of Ontario. No one, who has given any attention to this question, and to the dispute that has long existed between the Government of Ontario and the Government of Canada, will not feel that the hon. gentleman is seeking to sacrifice the interests of Ontario in this matter. For what purpose? If there had been a Conservative Government in Ontario, instead of a Reform Government, perhaps the hon. gentleman would not have taken the course he has; he would not have attempted to deal with it in the unfair manner in which he proposes to deal with it by this Bill. He proposes by the Bill, to transfer to the Province of Manitoba the whole territory in dispute. Now, it is unfair, at this late period of the Session to introduce this Bill, if the hon. gentleman intended to consider the whole question fairly on its own merits. Before this measure is permitted to pass, I propose moving an amendment to the second section. If the hon. gentle-

man will accept my amendment, I will withdraw my opposition to the Bill. I propose that, pending the settlement of the dispute between the Government of Canada and the Government of Ontario with reference to the western limit of that Province, the boundary of Manitoba shall not be extended eastward beyond the limit marked out by the arbitrators. The hon. gentleman may extend the boundary westward and northward, as far as he pleases, but I do not think it right or proper that Manitoba should be made a party to the dispute at present existing between this Government and the Government of Ontario. I have just been looking at a map which has some value in the consideration of this question. It will be remembered that Lord Shelburne took an active part in the discussion which led to the settlement of the limits of the United States, and upon this map, which was found among his papers, he marked out the territory, which he said, was arranged to be part of the Province of Quebec before the Act of 1774; and any hon. gentleman who looks at it will see that this territory comprises a much more extensive region than the arbitrators have awarded to the Province of Ontario. This map, following the plan of most old maps, made the boundary ascend the Mississippi River until it reached the junction of the Mississippi and the St. Peter River, now called the Minnesota; thence it descended the Minnesota River, which was considered the principal river, to its source. This map is copied from a map that was before the parties who negotiated the Treaty of 1763. I would refer also to another map of great value, that is one prepared by Mr. Pownall, who was secretary to the Lords of Trade and Plantations. It was prepared by Mr. Pownall in 1775, the year following the passing of the Quebec Act. Upon it the boundary of the Province of Quebec is represented as ascending the Mississippi River to its source, on the west, and following a line midway between Lake Winnipeg and Hudson Bay on the north; and it gives to the Province of Ontario even more extended limits on the north than those awarded to her by the arbitrators. Ontario claims the territory at least as far west as the arbitrators have marked it, and it does seem to me an act of gross injustice to the Province for this Parliament on the last day of the Session, to undertake to incorporate a large section of that territory with another Province on the west. Decency, at least, requires that Manitoba should not be involved in the dispute between Ontario and Canada, that the matter should be left in abeyance till the dispute between these parties is finally disposed of. If it is then found that any territory lying west of the limit marked out by the arbitrators, belongs to Canada, I am satisfied that no one on this side of the House will object to extending Manitoba eastward.

Mr. DAWSON. Next to the question of the Pacific Railway, Mr. Speaker, the subject of this Bill is by far the most important one that has come before the House during the present Session; any legislation regarding it must have a far reaching influence in the affairs of this Dominion, and, although its effects will be felt in the future more than the present, that is no reason why it should not receive from this House the deepest and most careful consideration, which I am much afraid it cannot meet with at this late period of the Session. The evidence brought before the Committee appointed to investigate the matter of the boundaries, last Session, affords ample proof that the award was made in the absence of anything like full information on the subject, and even without a due consideration of the information that was available. A great deal of misconception seems to have arisen, in the first place, from regarding the description in a cancelled Commission (that of 22nd April, 1786) as having any important bearing on the subject, and in the next, from claiming too much for a proclamation issued by General Alured Clark, on the 18th November, 1791. The description in the Commission of the 22nd

April, 1786, followed the wording of the Treaty of 1783. In 1791, on the passing of the Constitutional Act, it was discovered that a mistake had been made, and the result was that the Commission in question was cancelled and absolutely and completely revoked by a document signed by the King's own hand, in which are the following words: "Now know ye that we have revoked, determined, and by these presents do revoke and determine, the said recited letters patent" (that is the Commission of 22nd April, 1786) "and every clause, article or thing therein contained." Yet, on the face of this, that Commission was made use of to lead the arbitrators to suppose that the former boundaries of Upper Canada extended to the Lake of the Woods, and is still being made use of to create an impression among the people of Ontario the present boundaries of the Province should extend that far. In regard to the proclamation of General Alured Clark, it is so clumsily worded as to be meaningless in itself, and if the meaning sought to be attached to it by those who claim that Upper Canada should have extended south and west to the utmost limits of the country known as Canada, as in the words of the proclamation were the correct one, it would have amounted to a declaration of war against the United States, for by the treaty of 1783, entered into eight years previously, all that portion of Canada now covered by the great States of Ohio, Michigan, Indiana, Illinois, Wisconsin and a large part of Minnesota had fallen to the United States, and if the British Government had wished to recover it, a different means of initiating the process than that of a proclamation of a mere *locum tenens*, as General Clark was in a remote Province, would have been adopted. But the Committee of last session brought to light the fact that the proclamation was unauthorized and in absolute contradiction of the King's instructions. These instructions were issued on the 16th day of September, preceding by more than two months the date of the proclamation, and in them the Governor was directed to make public a description very different from that contained in the proclamation. He was ordered simply to declare that, Upper and Lower Canada were "bounded as in our said Commission is particularly expressed," that is, as in the Commission of 12th September, 1791, to the Governor General, Lord Dorchester. The instructions in question were not laid before the arbitrators, were not contained in the Ontario book of documents, and there are many other things not contained in that book, and which were not in any way brought to the notice of the arbitrators, notwithstanding that they were necessary to enable them to arrive at a reasonable and just decision. They have arrived at a decision which no person who bestows any attention on the subject can for a moment believe to be the correct one, and they have laid out a boundary which is not the boundary of Ontario. The hon. member for Bothwell, when the subject of boundaries comes up, always speaks of the Mississippi line as being the one intended by the Act of 1774, and he supports this position by referring to that part of the Act which sets forth "that all the islands and countries in North America belonging to the Crown of Great Britain" (bounded by certain lines therein mentioned), "be during His Majesty's pleasure, made part and parcel of the Province of Quebec, as created and established by the royal proclamation of 1763." But in view of all the facts I think it is pretty evident that the Mississippi line was not the one intended by the Act, and it is reasonable to believe that Parliament would not have ignored the terms on which Montreal was surrendered, nor the treaty of Paris and proclamation of General Gage to the French of Illinois. By the terms of the capitulation of Montreal, made by the Marquis de Vaudreuil on the one side, and General Amherst, on the other, it was stipulated and agreed upon, and subsequently confirmed by treaty, that their laws and religion should be preserved to the French; as well in the "countries above"

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as in Quebec. Now, where were those "countries above?" We have very clear evidence as to where, at least, one of them was in the proclamation of General Gage, in which the following will be found:

"Whereas by the peace concluded at Paris, the 10th day of February, 1763, the country of the Illinois has been ceded to His Britannic Majesty, and the taking possession of the said country of the Illinois by the troops of His Majesty, though delayed, has been determined upon: We have found it good to make known to the inhabitants."

"That His Majesty grants to the inhabitants of the Illinois, the liberty of the Catholic religion, as has already been granted to the subjects in Canada. He has consequently given the most precise and effective orders to the end that his new Roman Catholic subjects of the Illinois may exercise the worship of their religion according to the rites of the Roman Church, in the same manner as in Canada."

And further, in the same proclamation, they are counselled

"To act in concert with His Majesty's officers, so that His troops may take possession of all the forts, and order be kept in the country. By this means alone they will spare His Majesty the necessity of recurring to the force of arms, and will find themselves saved from the scourge of a bloody war, and of all the evils which a march of an army into their country would draw after it."

It is pretty clear from this that the Illinois country was to be treated as a separate Colony, that, in fact, it was to be regarded in respect to the religion of the inhabitants and their institutions, in the same way as Quebec. But the hon. member for Bothwell (Mr. Mills) says, "that as the Act came down from the House of Lords, it was so worded as to embrace the whole country westward to the Mississippi." But, if it was amended so as, by any construction of its reading, not to embrace the whole country westward to the Mississippi, would not this afford, at least, some proof that the Illinois country was not to be included, was rather to be treated as a dependency. In all Commissions, the dependencies, as well as the Provinces, are placed under the jurisdiction of the Governors. But, if all the "islands and countries" were to have been included in the Province, where would have been the dependencies? The instructions of the 22nd December, 1774, to Lord Dorchester, shew pretty clearly that there were dependencies as well as a province, and he is directed in these instructions to see to the peltry trade of the "interior country" according to a plan proposed by "our Commissioners for Trade and Plantations." In these instructions, too, references are made to dependencies where there are "no Canadian possessions," so that it is pretty clear that all the "islands and countries" were not embraced in the enlarged Province of Quebec, although, they were to be under the jurisdiction of its Governor. It is rather singular that these instructions do not appear in the Ontario book of documents, which we are so often told contains everything bearing on the subject of the boundaries. It is evident to my mind, and, I think it will be so to any hon. member who investigates the subject, that Parliament did not contemplate making the Mississippi the western boundary of the enlarged Province of Quebec, when the Act of 1774, was passed, but it is equally clear that the first Commission issued under the Act, did carry the western boundary along the eastern bank of the Mississippi to the southern boundary of the territories of the Merchant Adventurers of England trading to Hudson Bay. This brings us to the vexed question of Commissions to Governors, and the importance to be attached to them. The Attorney-General of Ontario, and other high authorities claim that they are acts of prerogative, and, therefore, just as much law as the Act of 1774 itself, which, in fact, provided for the exercise of the prerogative. It is sometimes claimed that an act of prerogative can only find legitimate expression in an Order in Council; that may, indeed, be the case in the present day, but in those days Commissions to Governors were looked upon as being of equal consequence with Orders in Council. And they were in fact Orders of Council. No one will be so simple as to suppose that a

Commission to the Governor of half a continent, more especially when it had to be signed by the King's own hand, was not an Act of the King in Council, and in every way equivalent to the most solemn Order in Council. In the instructions of the 22nd December, 1774, there occurs a passage (page 456 of the Report of the Committee of last Session) which shows clearly the importance which was attached to Commissions in those days, and I shall read it for the information of the House :

"With these our instructions you will receive our Commission under our Great Seal of Great Britain, constituting you our Captain-General and Governor-in-Chief, in America, and in all our Territories thereunto belonging, as the said Province and Territories are bounded and described in and by the said Commission; you are therefore to take upon you the execution of the office and trust we have reposed in you, and the administration of the Government, and to do and execute all things in due manner that shall belong to your command, according to the several powers and authorities of our said Commission, under our Great Seal of Great Britain and these our instructions to you, or according to such further powers and instructions as shall at any time hereafter be granted or appointed under our signet and sign manual, or by our order in our Privy Council."

It will be observed that the description in the Commission covered both Province and territory. Many arguments are made use of for and against the Mississippi line, but I have stated the principal ones, and it is for the House to judge whether that line was the western limit of the enlarged Province of Quebec, or not. If the Act did not make it so, it is quite evident that the first Commission issued under the Act did, and it continued to be the western boundary until the war of Independence swept the Mississippi and the vast regions between it and the Ohio, into the Confederacy of the United States. It will be observed, however, that the same Commission which carried the western boundary to the Mississippi, brought the territories of the Hudson Bay Company to the sources of that river, at least, so that the watershed evidently became the northern boundary of Quebec; but to this subject of the northern boundary I shall refer presently. In regard to the due north line, the word "northward" as used in the Act, does not necessarily mean due north. It may have been a line either to the eastward or the westward of north that was intended, and I could adduce what I conceive to be very strong arguments, to show that an eastward line was contemplated by Parliament, when the Act was under discussion. But the Judges in the De Reinhart trial decided unanimously that the western boundary of the Province of Quebec, as constituted by the Act of 1774, was a line drawn due north from the point of confluence of the Ohio and Mississippi; and three other Judges of the higher Courts, who were examined before the Committee of last Session, gave it as their opinion that that decision was correct, Judge Armour alone expressing a doubt as to whether the watershed of the St. Lawrence was not the boundary westward to the international boundary line. So much for the due north line. It has the opinion of very eminent men to sustain it, but, with all deference to their opinions—and I differ from them with great hesitation—I must say that in my opinion, whatever it may be worth, after a very full and careful investigation of the subject, and a familiarity with it in all its phases, extending over many years, I believe that the due north line will not stand the test of a thorough and impartial investigation. I shall now, for a moment, invite the attention of the House to a more easterly line, and which, if Commissions to Governors are to be taken as acts of prerogative, I believe to be the true one. However, I dwelt at such a length on this matter, when the subject of the boundaries was before the House a few weeks ago, that I need refer to it but very briefly now. I endeavored to show, on that occasion, that Upper Canada entered Confederation and became Ontario, with boundaries defined as in the Commission of 30th March, 1838, to the Earl of Durham, which made the entrance to Lake Superior the western boundary of Upper Canada, and I showed what I conceived to be very good reasons, why

the boundary could not have been carried through Lake Superior, and why, in any case, it could not have gone to the Lake of the Woods. Having so recently spoken on the subject of Commissions, I shall now be very brief, and confine myself to saying that a state of things had grown up to the westward of the watershed which rendered it essential that there should be a clear definition of the boundaries of the Province of Upper Canada. That country, I mean the country to the west and north of the head of Lake Superior, had been for a long time treated and dealt with as Indian territory, and it had been declared by two Imperial Acts to be beyond the limits of the Province. Within that territory a colony had grown up, and the southern boundaries of that colony came to the height of land. The Imperial Government had recognised the right of the Hudson Bay Company to form that colony in virtue of their charter. The Hudson Bay Company's claims were being vigorously pressed by a man of extraordinary capacity. They were at that time, too, applying for a renewal, in a new form, of their lease of the Indian territory; the law officer of the Crown had pronounced in favor of their territorial claims; the idea had come to be generally entertained, both in England and in this country, that the true boundary between the Provinces and the Hudson Bay Company's territories, or I should rather say, the territories of the Hudson Bay watershed, was the height of land. With a knowledge of all these circumstances, it would have been impossible for the Imperial authorities to have carried the boundary line westward so far as it has been too often claimed that it should have gone. As regards the height of land line, say what we will, there is much in the contention that it is the natural boundary; if not the actual one. It was for a very long period recognized in this country as the northern limit of Upper Canada, and in 1850 a treaty was made by the Government of the Provinces with the Indians of Lakes Huron and Superior, in which the height of land is defined as the boundary between Upper Canada and the Hudson Bay Company's territories. We cannot, in these discussions, ignore a line which was accepted officially and held good in the public estimation for half a century. The very first Commission issued under the Quebec Act was carefully drawn, so as not to carry the Province of Quebec into the Hudson Bay watershed. In the whole series of old Commissions there is only one which carries the Province to the north of the watershed, viz, that of the 22nd April, 1786. It followed the wording of the Treaty of 1763, and, as soon as the mistake was discovered, it was absolutely and completely revoked, and never again repeated. A great deal of twaddle has been written and spoken about the Mississippi being supposed, in those days, to take its rise much farther to the north than it does, and a silly argument to support this view has been adduced from a clumsily lithographed map, in which the Winnipeg system of rivers is joined to the Lake Superior and Mississippi systems, an error which any one, not wilfully blind, could perceive at a glance. The geography of the Mississippi was, practically, as well known in those days as it is now, and this I endeavored to show, and, I think, with some success, in a memorandum which will be found published in the Ontario book of documents. Sir Travers Twiss, who stands high as a writer on international boundaries, and the rules which should govern them, expresses very clearly the ideas prevalent in England in reference to the boundaries of the Hudson Bay's watershed. On page 458 of the Report of the Committee, last year, will be found a short extract from his works, which runs as follows:—

"If the coast boundary, therefore, was one understood by the parties, the head waters of the streams that empty themselves into the Bay and Straits of Hudson, indicate the line which at once satisfied the other conditions of the Treaty of Utrecht. Such a line, if commenced at the eastern extremity of the Straits of Hudson, would have swept along through the sources of the streams flowing into the Lake Mistassinnie and Abbi-

tibus, the Rainy Lake, in 48° 30', which empties itself by the Rainy River into the Lake of the Woods, the Red Lake and Lake Traverse. This last lake would have been the extreme southern limit, in about 45° 40', whence the line would have wound upward to the north-west, pursuing a serpentine course, and resting with its extremity upon the Rocky Mountains, at the southern most source of the Saskatchewan River in about the 48th parallel of latitude. Such would have been the boundary line between the French possession and the Hudson Bay district; and so we find that, in the limits of Canada, assigned by the Marquis de Vaudreuil himself, when he surrendered the Province to Sir John Amherst, the Red Lake is the apex of the Province of Canada, or the point of departure from which, on the other side, the line is drawn to Lake Superior; on the other, follows a serpentine course southward to the River Oubache, or Wabash, and along it to the junction with the Ohio."

In regard to the award no one can say that it describes the true boundaries of Ontario. It was drawn without the slightest regard to the Hudson Bay Company's territories, to Indian territories, or to Acts of the Imperial Parliament. It makes Ontario run into the clearly defined boundaries of another colony, ignores the Rupert's Land Act, and is, in fact, as much out of place as if it had declared Toronto to be in the North-West Territories. The arbitrators were, no doubt, able men, as well as being men of the highest respectability, but they had not the full facts before them, more especially as regarded the country to the north and north-west of Lake Superior. The history of that country, the struggles of the Hudson Bay and North-West Companies, the proceedings of Lord Selkirk and the action of the Imperial Government, were all alike ignored or unknown, or, at all events, not laid before them in a proper shape. The hon. member for Halton, when the question was last up for discussion, seemed to have taken a leaf from a very prejudiced source, when he stated that the Hudson Bay Company had at one time accepted the line of the Albany, as their southern boundary. The line to which he refers was spoken of soon after the peace of Ryswick, about the first year of the past century. That peace the Hudson Bay Company said left them the only mourners. They had been but thirty years in existence at that time as a company, they had been driven by the French from nearly all their possessions and posts, and would have been glad of anything which did not involve their utter ruin; but while saying that, under the pressure of necessity, they would accept the parallel of 53°, they protested loudly against their rights being so far infringed upon, and a few years later their claims to the whole Bay and Straits of Hudson were secured to them by the treaty of Utrecht. The circumstance is an extremely slight one on which to raise an argument in support of the award. It is useless to go back to the Treaty of Utrecht in estimating the claims to the French and the English at Hudson Bay, and this is admitted by the Attorney-General of Ontario, who should know quite as much of law as either the hon. member for Halton or the hon. member for Bothwell.

Mr. MACDOUGALL. I would like to ask a question at this point. Is it the hon. gentleman's contention that a Commission issued to a Governor, defining the boundaries of the country, and giving a different description from that set out under the authority of an Act of the Imperial Parliament, would change the boundaries? Assuming that the boundaries were fixed by the Act of 1774, and the Commission recognizing those boundaries in the sense for which the hon. member for Bothwell and other members contend, does the hon. member for Algoma (Mr. Dawson) hold that a subsequent Commission, standing alone, could limit or change the boundaries of that country?

Mr. DAWSON. I mean to say that the exercise of the prerogative was provided for in the Act of 1774, and that the Commission issued under that prerogative changing the boundaries, was as much law as the Act itself. The Act provided for the exercise of the prerogative, and therefore, a Commission, issued by the King in Council under the authority of that Act, was as much law as the Act itself. I have very good, strong, and high precedents for taking

Mr. Dawson.

that view. I will quote one authority, and I think when I tell the hon. member for Halton (Mr. Macdougall) that I am about to quote himself as an authority, probably he will see the importance of my contention. In a preliminary memorandum, which the hon. gentleman wrote to the Ontario Government some years ago, and a very nice memorandum it is—in fact it is the only gem in a whole mass of rubbish which appeared in the books of those times—the hon. gentleman says:

"The western boundary of Upper Canada at its western limit or starting point has been, ever since the Treaty of Peace of 1763, or at all events since the 22nd April, 1786, identical or co-terminous with the most north-western point of the Lake of the Woods."

Forgetting all the time that the Commission, for which he claims so much (that of 22nd April, 1786), was, in 1791, completely revoked and never afterwards repeated, and that Upper Canada had no existence in 1783. In regard to the Bill now before the House, I am afraid that our friends of the plucky little Province of Manitoba will be thrown off their balance. A prize is held up to them by this Bill which may well disturb their equanimity; they are to have not only a vast and fertile region to the west, but by this Bill we dangle before their eyes the gold of the Lake of the Woods and the forests of the Rainy River region. If the line at the entrance to Lake Superior is to hold good, as the western boundary of Ontario, and it has much to sustain it as the legal boundary, our friends of the Prairie Province will have their sway extended over the clear waters of Lake Superior. The shores of that inland sea, with their rich ores of silver, copper and iron, will be theirs. The silver islets which are coming to light every day will also be theirs. But is it quite fair or generous to Ontario to bring this new element into the contest about the boundaries? Ontario has, for years past, had longing eyes on the forests of Rainy River, from the sale of which she hopes to recoup her nearly exhausted surplus, as she once did from the sale of the forests of Algoma. There are thirty thousand square miles of forest lands on the waters of Rainy River. Nature has planted pines there for the supply of the treeless prairies of the west with the necessary article of lumber. The market will be unfailing and prices must rule high, and if Ontario could only obtain control of these forests, the cost of the construction of her new Parliament Buildings would be a mere bagatelle. By this Bill, we say in effect to Manitoba, fight Ontario for these vast forests of Rainy River, for the gold of the Lake of the Woods and the silver of Lake Superior, and I should think Ontario would hardly like to be brought into such unpleasant relations with our fighting Province. Again, Mr. Speaker, we have a settlement at Thunder Bay, but it is a small one, and the wishes of its inhabitants may be thought to be scarcely deserving of notice, but I can assure this House that the people of that settlement, much as they esteem and like the people of Manitoba, would be very reluctant to throw their lot in with theirs, because, for one reason, a vast wilderness would intervene between them and the new seat of Government, and, for another, they would feel that their wishes had not been at all consulted in the matter. They are, of course, as I have said, a small community, but they are a plucky community, fully alive to their rights and privileges, and they would maintain them with great determination, and would not tamely submit to being tumbled about from one Province to another without so much as an endeavor being made to ascertain their wishes or saying to them by your leave. But I have full confidence that the Government will do nothing rashly, and, in fact, this Bill just leaves the question of the boundaries where it was—unsettled. To avoid any misapprehension as to my own views, in reference to the importance which should be attached to Commissions to Governors, I may say that I believe them to have been acts of prerogative in their most impressive form, in every way

equivalent to orders of the King in Council, which they in fact were—I mean that they were really and truly orders of the King in Council, and no one who considers the circumstances of this country at the time at which the Commission to the Earl of Durham was issued (30th of March, 1838), can for a moment suppose that it had not received the most careful consideration of the Imperial Government, before being submitted to the King for signature. As to the due north line, it may or may not have been the true western boundary of Upper Canada, in 1818, when the De Reinhart trial took place; but in 1838 an entirely new departure was taken and new boundaries were assigned to Upper Canada, on the west and north, and it is to the Commission of 1838 to the Earl of Durham, and a long series of succeeding ones, in which the description was never altered, that we must look for a true definition of the boundaries with which Upper Canada entered Confederation and became the Province of Ontario. This Bill is so worded that it might bring the eastern boundary of Manitoba to the neighborhood of Sault St. Marie, and, everything considered, I think it would be better to amend it so as to give to that Province a clearly defined boundary on the east, which might be done by running its present eastern boundary due north to the northern limit of the Province. Afterwards, when the question of the boundaries came to be settled, such additions as might be reasonable might be made on the east.

Mr. MACDOUGALL. I am of opinion that the discussion of the question as to where the boundary of Ontario really is, is not likely to be a very profitable one at this stage of the Session. As I understand it this Bill does not undertake to dispose of that question one way or the other, it leaves it open to future adjudication. The only question in my mind is as to the effect that will follow with reference to those persons living under municipal organization in the so-called disputed territory at Thunder Bay and in the townships adjacent. It seems to me that some clause ought to be added to the Bill declaring that its passage shall not affect the existing state of affairs with respect to that matter. I think it would remove difficulty and embarrassment, and, perhaps, legal questions that might arise among municipalities west of the line which is claimed by the Dominion—I suppose we may admit that as the western boundary of Ontario—namely, from the junction of the Ohio northward. I fear that some difficulty may result from that question being apparently left open; but upon the main question, I, for one—and I claim, with my hon. friend, to have given some attention to it—am quite willing to agree that the boundary of Manitoba on the east shall be co-terminous with the boundary of Ontario on the west, because that relieves us of the necessity of providing either for the administration of law in Dominion territory or creating another Province to embrace that territory. I think it is in the interest of the Dominion and of those two Provinces, that their boundary should be co-terminous. Now, if I read this Bill correctly, it leaves this question open. After describing the territory to be included in the enlarged Province of Manitoba, it says:

“Proceeding to a point where the said centre of the road allowance on the twelfth base line would be intersected by a line drawn due north from where the westerly boundary of the Province of Ontario intersects the aforesaid International boundary.”

So that, if it shall be ultimately determined that the boundary of Ontario is a line running from the junction of the Ohio, or at the Lake of the Woods, a line due north from the north-west angle of the Lake of the Woods in the one case or the meridian of the Ohio in the other will be the eastern boundary of Manitoba and the western boundary of Ontario. Now, with reference to the question of the boundary, I may say that I am not at all satisfied, as an Upper Canadian, with the action of the Government. I was not satisfied with the action of the hon. gentlemen opposite. They had this question under

their control for five years, ample time, one would suppose, to have disposed of it. Measures had been taken prior to their accession to office to deal with. They had a friendly Government in power in Ontario, and it would have been easy, if political friendship has anything to do with such matters, to have brought this question to a decision. They kept it in hand during the whole term of their Administration and transferred it to the new Government as a still unsettled question. Now, as to what ought to be done, I respectfully offer my opinion that under all circumstances, starting with the admission which I think is made on all sides, that the arbitrators appointed to adjust this boundary did not establish the legal boundary of Ontario, and did not affect to do it.

Mr. MILLS. No.

Mr. MACDOUGALL. The hon. gentleman says “no,” but I think the history of the case clearly leads to that conclusion. They had evidence to show that the Mississippi River was declared to be the western boundary by the Act of 1774, and by Commissions to Governors sent out by Great Britain. On the north they fixed on the Albany River as a convenient boundary, and they found some justification for it in the discussions that have taken place between the Hudson Bay Company and the Imperial Government. But it is not pretended that that was the declared legal boundary of the old Province of Quebec. It is the boundary that these gentlemen chose to suggest as a convenient one for the future. Whether that was within their jurisdiction, I am not disposed to offer an opinion just now. But if the Dominion Parliament choose to agree with the Government of Ontario that the award in that respect is final, the question would be settled. But the Government of the Dominion have not decided to take that line, and the question is still open. It seems to me the proper course to pursue is to bring it to a legal adjudication. We cannot take from Ontario that which legally belongs to it. Any Act of that kind would be *ultra vires*. It would be competent for Ontario or for any individual living in the disputed territory to raise the question, and to carry it through all the Courts of this country to the highest Court of the Empire. Now, as that is the ultimate means of ascertaining where the legal boundary of Ontario is, on the west and on the north, why should not the Government of Ontario and the Government of the Dominion at once agree upon a case for submission to the Judicial Committee of the Privy Council, and let the whole question be argued and decided there? My hon. friend who last spoke, is a learned gentleman in matters of survey, and has given a great deal of attention to this question, but I must confess that I cannot agree with his method of arguing legal questions; I cannot agree to the doctrine that a Commission issued to a Governor, without any discussion with respect to it, without intending to affect the question at all, is to be taken as final. I believe that, when the prerogative is exercised in a case of this kind, it must be by precise language; it must clearly show the intention in the royal mind to make a change in the boundary. Any accidental omission, any clerical omission or mistake on the part of the Imperial officers, in drawing up the Commission, will not take away from a Province or a distant colony its boundaries fixed by express Act of Parliament, and acquiesced in and acted upon for generations. My hon. friend really must go that far to sustain his argument with respect to subsequent Commissions upon a question of this kind. I do hope that no legal difficulty will arise in consequence of our declaring that the boundaries of Manitoba on the east shall be co-terminous with the boundaries of Ontario on the west. I apprehend that there is some danger politically, and I trust the Prime Minister will consider that question. If we can provide against it, I think it is our duty to do so. This question is likely to

become of considerable political importance, and I trust that the supporters of the Government will not be called upon to justify any unnecessary delay or negligence whatever, or from any improper motive, in prolonging this unfortunate dispute between Ontario and the Dominion.

Mr. STRANGE. I beg to say that I agree to a considerable extent with what has fallen from the hon. gentleman who has just taken his seat. I think there is no difficulty at all in finding the easterly boundary of Manitoba and the western boundary of Ontario. As the whole matter of the territory in dispute is a legal question, I think the best way to get the solution is to take it out of the hands of the Dominion Government altogether, and carry it to the Privy Council. I think, therefore, that the members from Ontario need have no difficulty in sustaining the Government in the course they are pursuing in this matter, as it is the most speedy way of arriving at a just and equitable decision.

Mr. ROYAL. I am in favor of the measure proposed by the Government. The unsettled condition in which the question of the western boundary of Ontario was left, was no doubt due to the sudden change in our political atmosphere, which took place on the 18th of September, 1878. Otherwise, this question would have been settled to day, though not in accordance with either law or correct policy as to the Government of this country. In defining the boundaries as they are defined in this Bill, I believe the Government have only complied with the prayer of the Legislature of Manitoba, on the 23rd of December last. On that day, on motion of the Premier, Mr. Norquay, resolutions were passed, of which the second is as follows:

"2. *Resolved*, That it is desirable in the interest of the Province generally, and more especially of those settlers who have already settled and are expected to settle on those portions of territory about to be incorporated in the Province of Manitoba, that no exemption from taxation should be made of lands belonging to any company. That, with the limited means at the disposal of the Government, it is quite impossible for any executive to render municipal organization such assistance as would be desirable, and the municipalities being thus left to their own resources, it is the opinion of the House that they should have the fullest opportunity of levying at a rate on all lands not the property of the Crown, within their respective limits, without any exception, for the purpose of raising means to prosecute works of improvement necessary to the development thereof."

In my opinion, no law passed by this Parliament can override a law passed by the Imperial Parliament. Amongst other things, municipal taxation was by the Imperial Parliament, placed within the exclusive jurisdiction of the Provincial Legislatures; and I do not think the Pacific Railway Act can, in any way, limit the power of any of the Provinces to levy municipal taxes. By this Bill, the limits of Manitoba will be extended, so as to give that Province an area about 13 times as great as it now possesses. Manitoba at present covers about 8,000,000 acres of land; after the passage of this Act, it will cover about 98,000,000 acres. Quebec being the largest Province of the Dominion, Manitoba will then stand second as regards area. In view of the legislation we have accomplished this Session in connection with the Pacific Railway, I believe this extension is a necessary part of a good policy. There appears, however to be no provision made in the Estimates for the additional expense which will be entailed by this accession of territory. In this connection, I may read the third resolution passed by the Manitoba Legislature:

"3. *Resolved*, That it is desirable that the boundaries of the Province should be extended eastwards to correspond with the line marked as the west boundary of Ontario, near the eighty-ninth meridian of west longitude; that the requirements of the prairie portions of the Province could be supplied with the timber of the eastern portion, besides which a port on Lake Superior would thereby be secured to the Province."

Now, Manitoba being a prairie Province, and essentially a wheat growing country, I believe it is in accordance with the natural requirements of the Province that it should

Mr. MACDOUGALL.

have a port on Lake Superior. The fourth resolution reads thus:—

"That this House respectfully urges upon the Government of Canada a careful consideration of the foregoing resolutions, and it is of opinion that an adoption of the same would benefit the Province, and contribute materially to place Manitoba in the position nature intended her to occupy."

Now, I should certainly regret to see the entire expense of maintaining this additional territory thrown upon an already overburdened Province. The population of the new territory, according to the best authorities, is 14,000 or 15,000, while the extent of country which the Province of Manitoba will have to administer will be immense in comparison with the means at its disposal, and I think it would be only fair for this Government to give some assurance that they will administer the law and maintain good government in those at present unorganized and unsettled parts of our North-West. With regard to the Bill itself, I believe the provision is a very fair one, which reserves to the Governor in Council the power by proclamation to say when this Act shall come in force; but I will, however, say that I do not see why an additional burden should be imposed on the Province without providing means for the Province to carry it.

Bill read the second time.

(In the Committee.)

Mr. MILLS. Suppose this Bill is carried as you proposed, and you issue your proclamation at once, how do you propose the settlements at Rainy River, Prince Arthur's Landing and elsewhere, shall be governed? Which will have jurisdiction, Ontario or Manitoba, both of which claim it? The hon. gentleman proposes to disregard, by this Bill, the conventional boundary which has been agreed on between the Dominion and Ontario.

Sir JOHN A. MACDONALD. There never was a convention that settled the boundary line. An arrangement was made between Ontario and the Dominion, by which the Dominion would sell the lands west of a particular line, and the Province of Ontario would sell those east of that line; and when the boundary was finally settled, the accounts for monies received on sale of lands would be adjusted between the two Governments. Whether this Bill will pass or not will not affect that arrangement. The same uncertainty will prevail in either case.

Mr. MACDOUGALL. There is this difference, that at present the Ontario Government assume their right, not only to deal with lands and sell them up to the conventional boundary, but to survey and establish townships, and these townships so organized come under the municipal law of Ontario. Under this Bill, the Province of Manitoba may assume not only that it will have the right to organize townships to the conventional boundary, but also to the point marked on this map. I hope we shall not be met by some Dawson hereafter who will rake up this map and say we have committed ourselves to this boundary.

Sir JOHN A. MACDONALD. By extending the boundaries of Manitoba, it does not affect the proprietorship of the land. The land in the extended boundary belongs to the Dominion still. The convention is merely as to the sale of the lands, and that convention still exists, notwithstanding that these lands are included in the Province of Manitoba. The Province of Ontario will go on surveying these lands and selling them as it does now, until the boundary is settled. The whole arrangement is simply this; the sooner the boundary is settled the better. It was proposed by the Dominion Government that the question, which is strictly a legal one, depending on the construction of various Statutes, should be submitted to the ultimate Court of jurisdiction. Ontario would not agree to that proposition

thus putting herself in the wrong at once. The hon member for Bothwell had been, previous to his taking office in the late Government, a paid agent of the Ontario Government in this matter. There is no blame to be attached to him for that. When the member for Bothwell, who had originally been the advocate for Ontario on this question, entered the late Cabinet, it was as Minister of the Interior, having charge of all the Dominion lands, and it was his duty to fight the battle of the Dominion as against Ontario. The tendency of his mind was shown in his elaborate and able report on the subject, yet he was the person whose duty it was, departmentally, to look after the interests of the Dominion. The Dominion had paid the Hudson Bay Company for the whole of that country wherever the line might be, and the Dominion Government had to look to the interests of the whole Dominion, and not to those of any of the Provinces. For my part, it is a matter of no consequence to what Province the land belongs. But still the Government of the day are trustees for the Dominion. The Premier of the late Government, too, was a prominent Ontario man, Mr. Mackenzie, and under those circumstances, the Government were peculiarly bound to see that the question was left to a tribunal that could speak authoritatively, and I do not see, unless they were afraid of their case, why they should have objected to the Imperial tribunal, to which it must go finally. That is the only way of settling the case. All must submit to that, the highest tribunal in the Empire.

Mr. MILLS. Why do you not take it there?

Sir JOHN A. MACDONALD. There was an arbitration proceeding, for which the hon. gentlemen opposite had not the consent of Parliament, in a matter involving a territory large enough to make a nation. However, the late Dominion Government and the Ontario Government chose their own men to act in this matter, only one of them, the Chief Justice of Ontario, being a lawyer; and those arbitrators, as the member for Halton said, did not pretend to lay down the true boundaries. And they did not do so, as I know. We have only to read the written statement of one of those arbitrators, Sir Francis Hincks, in the *Monetary Times*, in which he admitted they did not settle the true boundary, to be convinced. They were appointed to settle the true boundary, but were not asked to fix a convenient boundary. There was nothing, then, to appeal from. A convenient boundary could only be settled by the joint action of the two Legislatures, and the Dominion Parliament, or Government, did not choose to carry out the award made. They say it is not a true boundary—that the Dominion wants simply what by law is their right. The Ontario Government and Legislature have no right to ask more. But they say, no. They passed a law accepting the award, because they saw it added an additional kingdom to Ontario, as was the remark of its Premier, and they will not do anything else. They say—we have got that award, and you must abide by it. With regard to the time of the Session at which this question was brought up, the previous consent, under the Imperial Act, which allows the boundaries of the Provinces to be increased or diminished, of the parties affected, must be obtained by legislation. The Province of Manitoba passed a Bill that could not be accepted, and that was the cause of the delay in this case. The Legislature of Manitoba was prorogued and afterwards resumed to pass a second Bill respecting the boundaries, which was done only the other day. As soon as we got the second Bill, our Bill was introduced into the Senate and passed there, inasmuch as this House was so completely occupied with other leading matters.

Mr. DREW. If I understood the remarks of the Premier as to the selling of the lands in that section, they belong to the Dominion Government, and the passing of this Bill

would not give the right to those lands to the Manitoba Legislature.

Sir JOHN A. MACDONALD. No.

Mr. DREW. I understood that. Now, whether the lands about Prince Arthur's Landing, or the townships west of it, should be under the jurisdiction of Manitoba or Ontario, I care very little. But I know that the people of Prince Arthur's Landing and Fort William and settlers in those townships to the west are under Ontario municipal regulations. If Manitoba passes a municipal law that will extend to those districts, you will have one set of people electing municipal officers under her law, and another electing them under the Ontario law. You will have two sets of officers selling property for different objects leaving the people affected to enter Court to ascertain who is right and who is wrong. If this Bill passes, Manitoba will have a right to claim that her eastern boundary is marked on the map, at the Landing, and that that is western boundary of Ontario? Has Manitoba not as good a right to assert that her eastern boundary goes to a certain point east, as Ontario to assert that it goes to a certain point west? If that is the case, what is to prevent the Legislature of Manitoba passing a municipal law declaring how the land is to be laid out in municipal districts, how the people are to elect their municipal officers, and the rate of taxation for municipal purposes, and what is to prevent the Legislature of Ontario from doing the same thing? The people will have doubts as to whose jurisdiction they belong, and one set of municipal officers will be passing by-laws under the Manitoba and another under the Ontario Government system. A man wanting to buy property and seeing it advertised by the authorities under each Government, will not know from whom to buy. A purchaser buying from one set of officials may be sold out by the opposite set. Then will come the question as to titles, and what is right and what is wrong, leaving the disputants no other recourse but an appeal to the Courts; and they will not know what Court to appeal to not knowing the boundaries. The member for Bothwell will propose an amendment, I suppose, in effect, that the western boundaries of Ontario shall go to the point fixed by the award until the whole question is settled. I favor such an amendment.

Mr. MILLS. Hear, hear.

Mr. DREW. Surely that cannot injure Manitoba. I am satisfied that the people of Prince Arthur's Landing could be as well governed from Winnipeg as from Toronto; probably they would prefer being governed from Toronto. But I contend that by this Bill the position we should place them in is this—they would not know to what Province they belonged or to what Government they owed allegiance. The question of the boundary of the Provinces we have nothing to do with here; we cannot settle it here, Parliament cannot take from Ontario a foot of land to which it is entitled. But what we can do—Ontario and the Dominion have got on without trouble on this head so far—is to see that this Parliament keeps within its own jurisdiction, so far as it is able, the disputed territory. I think it is the feeling of Ontario as well as of Manitoba that the two Provinces should join—that there should be no territory between them; and I cannot see how serious trouble between Ontario and Manitoba can be avoided if the Bill passes in its present shape.

Sir JOHN A. MACDONALD. I wish to say to my hon. friend that if Prince Arthur's Landing is not within the bounds of Ontario, the laws which are proposed to be put in execution there are not laws at all; for the Legislature of Ontario has no right to pass laws affecting that territory if it is within our bounds, and all their proceedings there will be illegal. We would then be perpetuating an illegality. It is no matter whether that illegality is caused by the

Province of Ontario or the Province of Manitoba; if this land is not in the Province of Ontario, it is in the North-West Territory, and is covered by the laws of the North-West Territory, which are not the laws of Ontario. Whether the conflict is with the laws of Ontario or the laws of Manitoba is a matter of no consequence, so long as there is a conflict. The people of Prince Arthur's Landing may resist the processes of law; they may say to the sheriff that he is committing an illegality—

Mr. MACDOUGALL. Do not tell them the way, or they may do it.

Sir JOHN A. MACDONALD. It has been done already. A man may say to another who brings a suit against him: "This is the process of an Ontario Court, and Ontario laws do not extend here, because we are not part of that Province." The same thing might happen with regard to every process of law and every title, whether the boundary is settled or not. The effect of settling the boundary between these Provinces will compel, I do not say the Province of Ontario, but the present Government of Ontario, to be reasonable, and not to insist upon a boundary which cannot be supported in any Court or tribunal in the world. They will come to terms quickly enough when they find that they must do so. To use an expression which is common in Scotland, it is land hungry they are for that country, and they are resolved to get it rightly or wrongly.

Mr. MILLS. If the hon. gentleman was dissatisfied with the award, he could have just as easily have taken the initiative in objecting to it as the Province of Ontario, and why has he not done so? I moved for the papers both last Session and this Session, and there appears to be no communication showing that the hon. gentleman was dissatisfied with the award. From the time that the hon. gentleman took office, in 1878, until the time those papers were moved for, there has been no correspondence with the Government of Ontario, or at all events none has been brought down. If the hon. gentleman was dissatisfied with the award, it was as open to him to appeal as it was to the Government of Ontario.

Sir JOHN A. MACDONALD. There was nothing to appeal against. The award was of no value.

Mr. MILLS. Why did not the hon. gentleman insist on going before the Committee of the Privy Council.

Sir JOHN A. MACDONALD. How could we go?

Mr. MILLS. Though the hon. gentleman could not have gone under the ordinary provisions creating that Committee, he knows that Her Majesty may consider a petition which might be submitted to her by any person in the colonies. When the Government of the day comes to Parliament and ask it to vote the money necessary to carry on the arbitration, Parliament voted the money and the hon. gentleman, who was a member of the House, took no exception to what was being done; and he is just as responsible for the reference to arbitrators as were the arbitrators who referred it. The hon. gentleman says I was employed by the Government of Ontario to prepare a case. That is true; but the Government of Ontario did not indicate to me that I was to endeavor to obtain evidence in support of any particular line. They asked me to investigate the matter and where the true boundary was to be. I formed my own convictions on the evidence I was able to discover. The question had been referred to arbitration a year before I went into the Government; but the case had not been prepared, and it was prepared by the Prime Minister and the Minister of Justice. The hon. gentleman may appoint as a Superior Court Judge a gentleman who has been counsel in a particular case; he does not try the case in which he was counsel, and I did precisely the same thing. The case was taken charge of by the Premier and the

Sir JOHN A. MACDONALD.

Minister of Justice who conducted it before the arbitrators, and I had nothing to do with it. All I did with regard to it was to tell the Surveyor-General that he was to give the Council on behalf of the Dominion any information it was in his power to give. We find the Minister of Agriculture acting for the head of the Department of Railways for weeks and months, and surely there was nothing extraordinary about two of my late colleagues taking charge of a matter in which it was not desirable that I should take part.

Sir JOHN A. MACDONALD. I repudiate any responsibility for the arbitration; I was in Opposition; I did not belong to the Government, and I did not support it.

Mr. MILLS. You voted the money. There was no division, and you allowed it to pass.

Sir JOHN A. MACDONALD. I did not vote for it. I never voted for it, and the hon. gentleman ought not to say I did. The hon. gentleman asks why we did not bring it to the Privy Council. I am surprised that the hon. gentleman should make that statement, for he knows it could not have gone to the Privy Council without the consent of Ontario, because it was a mixed question of law and of fact; the facts were not agreed upon between the parties. But we cannot hand over to the Judicial Committee of the Privy Council, and they would not accept it, an issue involving the matters of fact in dispute, and going over all the evidence, as the hon. gentleman proposes.

Mr. BLAKE. Does the hon. gentleman say that it is the duty of the Government of Ontario to yield to his version of the facts?

Sir JOHN A. MACDONALD. Not at all, nor is it the duty of the Dominion Government to accept their idea of the facts; because, according to my idea, the whole case was given away before the arbitrators. Anybody reading the case would see that it was most wretchedly managed on the part of the Dominion. An inferior man, though a respectable man in his way, Mr. McMahan, was chosen to conduct the whole case, instead of employing the first legal ability in the country, instead of the Minister of Justice himself conducting the case before the Arbitrators. The whole case was thrown away—it looks almost as if it was deliberately thrown away. Never was such a case so given away as the case of the Dominion was on the very face of it.

Mr. DAWSON. The people of Prince Arthur's Landing, which is part of the disputed district and within the country I have the honor to represent, do not know whether the decision will be one way or the other. It makes it very awkward for them, and for the people at Thunder Bay, not to know in what Province they are until this question of the boundaries is settled. They have lived hitherto under the laws of Ontario, and I really think it would be better to have the defined boundary left as it is for the present on the east of Manitoba, where it would not interfere with this disputed territory at all. Otherwise the people of Thunder Bay would be placed in a very awkward position, and would not know which Province to look to. They are a considerable community now, numbering 6,000 or 7,000, and I can assure this House that they are a very intelligent community. They have the greatest esteem for the people of Manitoba, because, like themselves, they have had to battle with the wilderness and hew their way through it to make homes for themselves, but they would prefer to be under the law of Ontario, because they would be too far from the seat of Government in Manitoba, and Thunder Bay would be left out in the cold. The people in that district would be very reluctant to throw in their lot with Manitoba.

Bill reported.

On motion for third reading,

Mr. MILLS. I move:

That the Bill be not now read the third time, but be referred back to the Committee of the Whole, so to amend the same as to provide that, pending the final settlement of the western boundary of Ontario, the eastern boundary of Manitoba be not extended eastward of the limits declared by the award of the arbitrators appointed by the Governments of Canada and of Ontario, to be the western limit of the Province of Ontario.

Amendment negatived on the following division:—

YEAS:

Messieurs

Bain,	Gillies,	Rymal,
Blake,	Holtou,	Scriven,
Brown,	Macdonell (Lanark),	Snowball,
Cartwright,	McDougall,	Sutherland,
Casey,	Mills,	Thompson,
Cockburn (Muskoka)	Paterson (Brant),	Trow—20.
Fleming,	Robertson (Shelburne),	

NAYS:

Messieurs

Allison,	Hay,	Orton,
Arnell,	Hesson,	Ouimet,
Barnard,	Hooper,	Patterson (Essex),
Beaty,	Houde,	Plumb,
Beauchesne,	Hurteau,	Pope (Compton),
Bergeron,	Jones,	Pope (Queen's),
Bill,	Kilvert,	Poupore,
Bowell,	Kranz,	Richey,
Bunting,	Lane,	Ross (Dundas),
Cameron (Victoria),	Langevin,	Rouleau,
Carling,	Lantier,	Royal,
Caron,	Little,	Ryan (Marquette),
Costigan,	Macdonald (King's),	Ryan (Montreal),
Coughlin,	Macdonald (Sir John),	Schultz,
Coursol,	McDonald (Pictou),	Scott,
Cuthbert,	Macmillan,	Shaw,
Daly,	McCallum,	Sproule,
Daoust,	McConville,	Stephenson,
Dawson,	McCuaig,	Strange,
Desaulniers,	McInnes,	Tellier,
Drew,	McLennan,	Tilley,
Elliott,	McRory,	Vallée,
Farrow,	Manson,	Yanasse,
Ferguson,	Massue,	Wallace (Norfolk),
Fitzsimmons,	Merner,	Wallace (York),
Fortin,	Mongenais,	White (Cardwell),
Gault,	Montplaisir,	White (Hastings),
Gigault,	Mousseau,	White (Renfrew),
Girouard (Kent),	Mattart,	Williams,
Hackett,	O'Connor,	Wright—92.
Haggart,	Ogden,	

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

AFTER RECESS.

Mr. DAWSON moved:

That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend it, so that the present eastern boundary of the Province of Manitoba, prolonged to the northern limit of the said Province, shall be the boundary line of the said Province on the East.

Amendment negatived on a division.

Mr. BLAKE. I rise to move an amendment to this Bill. I cannot accede to the view of the hon. gentleman that he has given sufficient reasons for presenting this Bill to the House at this stage of the Session. It is difficult to conceive a more important measure than the present one. We, perhaps, do not realize the extent of the measure in its consequences. I observe, from the report of the explanations given in the other branch of the Legislature by the Minister who there introduced this Bill, that he states that after it becomes law, the area of Manitoba will be 154,411 square miles; the area of Ontario, 109,480; the area of Quebec, in this respect the premier Province, 193,355; the area of New Brunswick, 27,000; and the area of Nova Scotia, 21,000. Well, Sir, it seems to me that some of the considerations which have been addressed to the

House, notably by the hon. member for Provencher (Mr. Royal) should be dealt with in a Bill of this kind. It involves in the first place—although we are not asked at this moment to deal with it—a consideration of the financial condition of the Province of Manitoba. I hold that the practical result of our passing this measure under these circumstances, is to commit ourselves to undefined liabilities with reference to the re-arrangement of the financial condition of that Province. I am not opposed to an extension of the limits of the Province of Manitoba. I believe it to be a great disadvantage that there should be too small Provinces. I believe it also to be important that the Provinces should not have too great an area. I believe it to be extremely important that a Province with a very small population should not be entrusted with an area inordinate, relatively, to its existing population. But none of these considerations, to my mind, lead to the conclusion that we ought to hesitate in enlarging the boundaries of Manitoba. It is, however, an extension westward which is necessary, and which is important to the people of this country to-day. It is to secure to themselves, the stability, the importance and the resources desirable from the filling up of the territory to their west that they desire immediately. I have looked at the map which has been laid on the Table, and, as far as I can judge, the territory proposed to be added to the Province of Manitoba on the east, if you subtract from the remainder of its territory the area covered with water, is at least two-thirds of the whole area of the projected Province. I do not despair of the territories between the present boundary of Manitoba and Ontario being filled up. But they will, necessarily, in the present condition of things, fill up slowly. The attraction is westward, and the intervening territory, just as is the case with the districts to the rear of the Provinces of Ontario and Quebec, will necessarily fill up very slowly relatively to the west. My hon. friend from Provencher spoke of the importance of having a port on Lake Superior. I could have understood that observation, if our Constitution had been so framed that it was possible for one Province to establish a hostile tariff against another. If it was in the least degree possible for Ontario, or any other Province that might be framed, to shut out Manitoba in any way from Lake Superior, or for Quebec to shut out Ontario from Montreal, it would be important to Manitoba to have a port on Lake Superior, or to Ontario to have an ocean port of its own. It is true the Province itself cannot project railways beyond its own boundaries, whatever they are, but it is equally true that this Legislature can deal, and with one notable exception of which he, at any rate, cannot complain, having regard to his vote, has dealt with them in a spirit of determination to extend railway facilities to a Province wherever there may, and sometimes when there does not appear a reasonable prospect of the project being carried into execution. Beyond that, we have already a railway under way, and very near completion, to Thunder Bay, so that for all practical purposes the Province of Manitoba has, as it ought to have, free, undisputed access to the interior seaboard. These considerations are merely suggested to show that it is wholly unnecessary, in the interests of Manitoba and to gratify any present legitimate aspiration of that Province, to take the step which is proposed with reference to its eastern boundary. That step is, according to the view of the Government and of the majority that is disposed to carry this Bill, to take the boundary of Manitoba down to the point past Prince Arthur's landing, as shown on the map laid on the Table. You have had the statement of the contention of the Government. It is their view that if this law passes, they hand over to Manitoba 154,000 square miles of territory, including in that its present area and all the territory down to and inclusive of Prince Arthur's Landing on Lake Superior. It is true, they say

that will only be the effect of this measure if it turns out that this is the true limit of Ontario; but, in the same instant, they tell us that, in their opinion, that is the true limit of Ontario in point of law, and that, therefore, in point of law, the effect of this Act will be to project the boundary of the Province of Manitoba to that particular point. That was distinctly stated in the Senate, where the hon. Minister who conducted the Bill through that House, gave us a declaration of where the line would be. In computing the population, for instance, he gives: of whites around Prince Arthur's Landing and the township of McIntyre, 2,500; the township of Oliver, 500; Fort William and Neebing, 1,250; Mattawan, 250; Sibley, 750; also a number of people along the line of railway works, who have taken up locations, 1,000; making a total of 6,250. He pointed out, also, in other parts of his speech the same result. He, therefore, declared that his view is that in point of law, the effect of this legislation will be to transfer that territory to the Province of Manitoba. Now, I think that the *status quo* ought to have some effect in a discussion of this nature. I will assume for a moment that the strict legal interpretation of the boundaries of Ontario, its western boundary is to the eastward of Prince Arthur's Landing. What has taken place? As long ago as 1853, the Province of Ontario was supposed to extend beyond this point, and authority was taken to establish the provisional Judicial District of Algoma. Very shortly afterwards, that district was established with undefined boundaries, as far as I am aware, to the westward, but still understood to embrace, and in the practical jurisdiction of the judicial authorities, as they exercised it, did embrace the territory to which I have referred—not all this disputed territory, but the important portion of it to which I have referred. What more? When the Confederation Act was passed, the Imperial Parliament, at the instance of the hon. gentleman who is now conducting the affairs of the country, placed among the Electoral Districts of Ontario, the provisional Judicial District of Algoma. In the British North America Act, you will find in the schedule of the Electoral Districts of Ontario, the provisional Judicial District of Algoma. They may say that it does not define the boundaries in that district, but they were defined by election returns and by your census returns. If you look to the returns of each of the elections, you will find the voters for Fort William and the voters for Prince Arthur's Landing, returning a member to this House from the Province of Ontario. The hon. member for Algoma counts a very considerable majority in Prince Arthur's Landing—I do not think it was quite so strong in Fort William—but I have observed that the votes in the last election were considerable from both those places. They are recorded in your returns of elections; you appointed returning officers for them from the Province of Ontario since 1867; you called on their voters to send a member to this House as a representative of the Province of Ontario. You have recognized as a fact, since Confederation, that this territory—the point to which I have referred at any rate, and I know not how far beyond—did practically belong to the Province of Ontario. With these Acts on our Statute-book, with these declarations of fact, with these declarations of conduct, with the hon. member sitting in this House for thirteen years representing these people, you propose to pass a law which, according to your construction of the case, will hand over that territory to another power. That territory, at present, either belongs to the Province of Ontario, in point of law, or it belongs to the Dominion. In point of fact, the Dominion has, during all these years, allowed Ontario to undertake the expenses connected with the administration and organization of that territory and its development. It has established its municipal institutions there, it takes votes from there; and what the hon. Minister in the other

Mr. BLAKE.

House said was that he was going to take away the village of Prince Arthur's Landing, the townships of McIntyre, Oliver, Neebing, etc., from Ontario—all these places organized under Ontario laws, to which Ontario has had undisputed possession, you, as a matter of fact, propose to-night, at this hour of this Session, to hand over to the Province of Manitoba. What is the reason why you do it at the very last hour of the Session? Why, forsooth! the hon. gentleman says, because the Legislature of Manitoba did not pass a proper Act until a very late hour; and when it did pass that body, he thought it better to introduce the legislation in the Senate first, because this House was occupied. If it has, unfortunately, happened that the negotiations between the hon. gentleman and the authorities of Manitoba did not progress so satisfactorily as to reach an understanding earlier on this subject, if there has been a mishap in the Legislature of Manitoba, that is not our fault. I do not see that this is a just reason for this Act being passed when the period for legislation, the period for discussion and deliberation, has passed. The hon. gentleman proposes to do more than take away in this hurried manner from the Province of Ontario, a territory of which it has been in actual and undisturbed position for these many years. He proposes to involve the Province of Manitoba in a contention with the Province of Ontario, to introduce a new party to the controversy which exists as to this boundary. He proposes to tie the hands of the Parliament of Canada as to the question, what should be done even supposing the boundary of Ontario was found to be a little to the eastward of Fort William? If it were so found and the law were not passed, it would be still in your power so to apportion the territory, so to deal with the boundary, as to give each Province what would in right and justice appertain to it. I think a very strong case might be made even so in favor of the Province of Ontario, in respect to such of this territory as is by this arrangement being dealt with, and from which we have had a representative in this House for thirteen years. But that is to be taken away. The power of this Parliament so to deal with the question as they may think right, when the legal question has been decided, is to be taken away, and in advance a decision is to be reached handing over all that can be legally handed over to the Province of Manitoba. What is the result? You have three parties to the controversy instead of two. Parliament has no longer power to settle this question amicably, to deal with it as statesmen ought to deal with such a question. You part with all that, and the determination and disposal of it will be handed over to another Province. If a trust can be arranged for, if a mode of settlement can be propounded, why has not the hon. gentleman propounded it? The Province of Ontario has an award in her favor. The first Session of this Parliament, the hon. gentleman, when asked to state what action he intended to take, forsooth had lost the papers, which were not to be found in the pigeon-holes, and he did not know what the award was. Duplicates were at once sent down, but they were too late for the hon. gentleman to act. During the second Session of Parliament the hon. gentleman was asked what he was about to do. "It has got to be considered," he said. "We have got the papers which came at the end of last Session, but we have not decided what we will do; wait a bit;" and the hon. member who speaks so much on and takes such interest in the subject, the hon. member for Algoma (Mr. Dawson), with the assent of the Government, moved for a Committee of inquiry, which the First Minister agreed to on behalf of the Government, on the ground that inquiry was necessary before action was taken, that there ought to be investigation, so that the House and the Government might have full information on which they might deal with it. Inquiry took place. I am not going to discuss either the extent or finding of the Committee, but evidence was

taken, sworn evidence which must be much more valuable, of lawyers, Judges and experts as to matters of law and some disputed matters of fact, and spread on the record. And then there came the recess. This Session came, and no word was mentioned about boundaries or a decision having been arrived at. Three years the hon. gentleman has reigned and he could not tell us what he would do, and now on the last day of the Session he proposes to hand over to the Province of Manitoba a controversy, a dispute on questions which he declares himself unable to settle. If it is so easy to settle it, why did not the hon. gentleman propound a solution of the controversy, and some mode by which this question might be brought to a decision. But the hon. gentleman would not ask Parliament to affirm or to disaffirm the award, but he proposes to shift the whole matter to the shoulders of another Province. What is the result of that going to be? The result is going to be, that, pending the settlement of this question, new elements of disturbance and confusion will arise. It is all very well for the hon. gentleman to say there are elements of disturbance and confusion to-day. It is true there are. It is true, as is said, the legal question of jurisdiction which any day may be raised in the disputed territory, whether that particular part is part of any one Province, and whether by consequence the laws of the Province have force and effect in that portion of territory claimed to be part of the Province. How do matters stand now at Prince Arthur's Landing and Fort William? The people, as far as that part of the territory is concerned, are content, and for 100 miles further west, because they have a conventional boundary, which I quite admit does not make this part of Ontario, if it is not part, but which practically settles the question for the present. You find that the question is not raised there. You do not find the hon. First Minister proposing to this Parliament to legislate for that portion embraced by the conventional boundaries within the Province of Ontario. Why? Because it would be contrary to the spirit, and as I believe, contrary to the arrangement made in 1874 between the Governments, by which a line was drawn, a conventional boundary was fixed, and certain arrangements made with respect thereto. Since that time the Province of Ontario has been doing all that we require to be done inside that boundary. The Provincial Legislature has passed Acts about it; it has established institutions; it has made different arrangements, and those Acts have not been disallowed, and the arrangements have not been reported against by this Parliament. Matters were allowed to go on within an important portion of the disputed territory to which I refer upon an agreement formally entered into between the two Governments in July, 1874, that a certain conventional line should be drawn, and certain things could be done within it. Outside of that line, Ontario did not interfere; inside, it acted as if the territory was her's without dispute. But the First Minister says, pass the Bill, which he shows you by the map will, from my point of view, take away from you and hand over to Manitoba all the territory westward of Prince Arthur's. And next day what may happen? The Legislature of Manitoba, not bound by this arrangement between the two Governments, nor any conditions proposed to be inserted in the Bill, is perfectly free to act, and may proceed next Session to pass a Bill providing municipal institutions for Prince Arthur's Landing and Fort William—additional confusion to the confusion that now exists, additional uncertainty, and additional elements of conflict are to be wantonly, needlessly and without any good and essential purpose, that I can conceive, being served by the proposal of the hon. gentleman. It seems to me that we should not adopt that proposal, that it is a most unstatesmanlike course. It is a course which shows the hon. gentleman unequal to the emergency; and he proposes, because unequal to the emergency, to shift the responsibility from his

shoulders. He cannot so slip it from his shoulders. He will be held responsible by the people of the country for the course which, in these last hours of this Session, he is asking his followers, and through them, Parliament to take on this question, and it seems to me that under these circumstances we shall be doing less than our duty if we do not offer more than one alternative proposition, so that there may be placed clearly before the House the inconvenience and the difficulty which attend the hon. gentleman's proposition, and a better course which, in my opinion, should be adopted. I move:

That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the same so as to provide some definite eastern limit beyond which Manitoba shall not be deemed to extend, pending the settlement of the western boundary of Ontario.

Sir JOHN A. MACDONALD. The unreality of the motion of the hon. gentleman is shown by the vagueness of its terms. If he had intended really to ask this House to settle the question in the direction in favor of which he speaks, he would have prepared his motion in quite a different way. If the hon. gentleman had desired to settle some definite boundary, he should have stated so in his motion, which is intended simply to defeat the principal motion. One would suppose from the hon. gentleman's speech, that we had taken possession of the western part of Algoma—had deprived Ontario of it and handed it over to Manitoba. We in this Bill interfere with no right that Ontario has or ever had. The possessory and legal right, the equitable claim and constitutional rights, of Ontario will be the same after this Bill passes as they ever were. This Bill does not determine a line or settle any line, but simply says, in effect, that there ought not to be an intervening space of foreign country lying between Ontario and the eastern townships of Manitoba. Everybody knows the description of country lying between the head of Lake Superior and the Lake of the Woods. It has been by the best witnesses pronounced utterly sterile, barren and unfit for settlement. So that if we fixed the eastern boundary of Manitoba a little to the east of Red River, what would be the consequence? That country can never be a Province of itself—never sufficiently important, nor sufficiently peopled. That region must essentially either belong to Ontario or Manitoba. That being the case, how will it stand now? Here we are extending the boundaries of Manitoba, running north, to give the Province sufficient depth from the international boundary, and running west, also, to give it a sufficient spread in regard to latitude, and cutting off the main portion of the North-West region from the barren strip between Ontario and Manitoba. How is that strip to be governed? It cannot be governed by officials that live to the west of Manitoba, because the whole of Manitoba lies between this territory and the North-West. You must have a separate Government, and officers, and separate courts in that small strip of land, and for the straggling, lumbering, fishing, vagrant population that will go into this section. We are asked to keep that section hopelessly in that condition at the expense of the Dominion, with a separate organization, and to do that forever until the boundary is settled. As a matter of convenience, and of necessity almost, for the purpose of saving expense—this barren strip is handed over to Manitoba. Hon. gentlemen opposite say we assert that Thunder Bay and Prince Arthur's Landing all belong to the North-West, and not to Ontario. That is a simple question of law. It may or may not be so. The question of whether it be a portion of Ontario or of the North-West can only be decided by slow trial. Hon. gentlemen opposite also say that by this Bill a great element of disturbance is introduced. It is not so. Supposing at this moment that any person in Algoma or Thunder Bay should be prosecuted or sued on writs issued from the courts of Ontario, any person could dispute that and bring the matter to a trial—any person

could resist an Ontario writ on the ground that the place was not a portion of Ontario—that it belonged to the North-West, and that a writ from Ontario could not run in that district. The disturbing questions that could arise there must equally arise whether the country belongs to the Dominion or Ontario, until a line is settled. So there is really nothing in that objection. On the other hand, it is of very great importance, if this strip of land really does belong to the Dominion, that it should hand it to one of the neighboring Provinces—Ontario, or Manitoba. It is unwise to keep it as a territory, and impossible to keep it as a separate Province. It must be given either to Ontario or Manitoba, and we cannot afford to give it to Ontario, if it belongs to the Dominion, because the lands would belong to Ontario. Keeping it as a portion of Manitoba, the lands belong to the Dominion. In reply to the member for West Durham I may say, I stated that a great portion of the lands were barren; but the lands in the vicinity of the Lake of the Woods are better, and valuable for their timber. Now, if this land really belongs to the Dominion, it is the duty of the Dominion Parliament and Government to see the rights of the Dominion maintained. The North-West was purchased with the money of the whole Dominion, and we have no right to give away property so bought without getting any equivalent for it. The hon. gentleman has gone over what occurred in the last three Sessions; the offer made was to leave this question to the Judicial Committee of the Privy Council.

Mr. MILLS. No.

Sir JOHN A. MACDONALD. That is a high Court of Appeal for every controverted question affecting the Dominion, affecting the Provinces of the Dominion, or affecting individuals inhabiting the Provinces of the Dominion. That was refused, and this arbitration was preferred—it was selected by an Ontario Premier. I will not say by the advice of the hon. gentleman, because he says he refused to have anything to do with the matter. It was left to arbitration; and to show how unwise it was to leave it to arbitration—although the question submitted to the arbitrators was the ascertainment and settlement of the true boundary between Ontario and the North-West,—they laid down a mere conventional, a convenient boundary.

Mr. MILLS. No.

Sir JOHN A. MACDONALD. Yes; I could prove it in any Court in the world. They did not affect to set up the true boundary according to law; but they thought this would be a convenient and expedient boundary. They had no right to do this; they went beyond their commission in doing it. They made the same mistake as the King of the Netherlands, when the Government of England and the Government of the United States left to him the settlement of the true boundary between the State of Maine and the Province of New Brunswick. He made a boundary and split the difference. The United States said at once that they refused to accept the award because the arbitrator had dealt with the subject which was not referred to him, that was the finding of a convenient boundary. These three gentlemen took precisely the same course. They did not find the true boundary, and not having found it, their award is a piece of wasted paper, and the claim of the Dominion, according to law, remains unaffected in any way by that ineffective, ineffectual, and illegal award. The hon. gentleman says there was no expression of opinion on behalf of the Government. Why, the hon. member for Bothwell (Mr. Mills), in the first Session of this Parliament, introduced a Bill for the purpose of declaring that this award settled the true line, and for the purpose of enacting the legality. The hon. gentleman found that the Government and the House would not entertain it, and he did not press his Bill. It was known to the Government of Ontario that we refused to legislate on the matter in the way of ratifying the award.

Sir JOHN A. MACDONALD.

Mr. MILLS. The hon. gentleman refers to the fact that I introduced a Bill in the first Session of this Parliament, but he knows right well that the announcement of the Government was that they had not decided on the course they were to adopt. I knew the hon. gentleman had a majority of the House, and I did not wish to press the Bill against that majority and against the hon. gentleman. It is perfectly true that the hon. gentleman suggested, in the first instance, that the question should be referred to the Judicial Committee of the Privy Council. That was not agreed to, and another Government having the same power as the hon. gentleman—and he will remember that he was once an Ontario Premier as well as the hon. member for Lambton—made a different suggestion; and I do not see why the member for Lambton had not the same right to suggest a plan of settlement as the hon. gentleman himself. The hon. gentleman was just as much a representative from Ontario; he might be presumed to have been at that time as much influenced in favor of Ontario as the hon. member for Lambton, if it is to be supposed that a Minister of the Crown is biased in favor of particular Provinces. An arbitrator was appointed, and they proceeded to the investigation of the subject. (Interruption). The hon. member for Winnipeg is interrupting the debate, which is scarcely decent on his part.

Mr. SCOTT. I wish to inform the hon. member for Bothwell (Mr. Mills) that I was not interrupting the debate.

Mr. MILLS. The hon. gentleman says the case on behalf of the Dominion was scandalously neglected. Why, Sir, the hon. gentleman appointed Judge Ramsay to investigate this question; he did investigate it, and his report was put in the hands of the arbitrators months before the arbitrators was called on to meet. Everything that could be found on behalf of the Dominion was found. The present Judge Ramsay was appointed as counsel for the Dominion to investigate the question, for months, and the information which he accumulated was handed over, when he was appointed to the Bench, to the counsel who took his place in the investigation of the question was concerned. I believe that everything that could be found on the question on either side was submitted to those gentlemen before they met him at all. The hon. member for Algoma (Mr. Dawson) has told us that some documents have been received which the arbitrators did not have before them. I have read the report of last Session, and the appendices of this Session, and I find nothing there that I, myself, did not see before, or which was not embraced in the case either of Ontario or of the Dominion before the arbitrators. The hon. gentleman says that it is important that a strip of country should not be left in the possession of Canada, with Ontario on one side and Manitoba on the other. The hon. gentleman's proposition is that it is necessary that the country should have a Government. He knows that Ontario claims the country as well as the Dominion, and he proposes to substitute for the Dominion a Province which is less able to protect its rights, and to put there the Province in the position of litigants. How will the affairs of that Province be administered when Manitoba is extended to Prince Arthur's Landing, as the hon. gentleman contends it will be by this Bill? Sir, it is perfectly obvious that those who are in favor of remaining in Ontario will come under the Ontario law, and those who are dissatisfied with that and would prefer being a parcel of Manitoba, will come under the law of Manitoba. How, then, are you going to establish order? How are you going to secure respect for law when you undertake to put the Government and the people in the hands of two rival parties, each of which claim the right to provide the necessary municipal and other legislation for the people of that territory. I have before me a statement made by the Government of the hon. gentleman, when he

was in power before, and that statement is that it is desirable to come to terms with Ontario on this question, that so long as the matter is in dispute government cannot be established, and in order that peace and order may be restored there and the affairs of government carried on, he suggests that a conventional line should be agreed to; but, he says, that line has not been adopted before for the reason that there are certain Indians with whom it is necessary to treat, and that it is desirable that a treaty should be made with them before a conventional line is established. The hon. gentleman takes a wholly different position to-day. He thinks a conventional line a matter of no consequence, that it is only necessary to disregard any conventional boundary and to hand over to the Province of Manitoba the territory that is claimed by the Province of Ontario. I say, then, that it is entirely impossible that the object that the hon. gentleman proposes to accomplish can be attained by what he proposes to do. The hon. gentleman has told us that the country is of no value. Well, Sir, if that be true, why did he resist in this pertinacious way the claims and pretensions of Ontario? If he is right it was not worth contending about, and he ought to have come down three Sessions ago and proposed a confirmation of this award. The hon. gentleman says he is of opinion that the real boundary will not make this territory part of the Province of Manitoba. Very well; if it cannot be made a part, why, as a matter of form, undertake to make it so? The reason is very obvious. The hon. gentleman feels that he has lost the confidence of the people of Ontario. He feels that he has no longer any prospect of being sustained by the people of Ontario, and the hon. gentleman now wishes to create a conflict between the Government of Ontario and the people of Manitoba. He thinks that he will be able to do this because the Government of Ontario is a Reform Administration. I do not believe he will succeed. The vast majority of the people of Manitoba are emigrants from the Province of Ontario. They look back with fond regard to the Province they have left behind them, and their desire is to extend their territory westward. Now, the hon. gentleman has said that if the Government were to agree upon a conventional line, that would not make it a boundary. Well, we have at present a convention with the United States in regard to the Alaska boundary. We found that a survey would be very expensive, and we agreed with that Government that a certain line shall be the boundary for the time being. It was not the interest of either Government to incur a large expenditure for survey; and does the hon. gentleman believe that any Court would go behind the political agreement between the two Governments? Certainly not. Any convention between two Governments, no matter whether it be a true boundary or not, will not be questioned by the Court; it can only be questioned in this House. The hon. gentleman knows that right well. He knows that no Judge would undertake to try an offence committed west of the conventional boundary of Alaska, on the ground that the offence was committed within the British territory. They would not go behind an arrangement between the two political departments of the Government. The hon. gentleman dissents, but I say it is true. I could cite to him a thousand cases, in the Privy Council reports, involving exactly the same principles. Take the case of *Dysamber*, in India, where property was taken from a person to whom it was awarded on the ground that the East India Company was a Seignior. The question was taken before the Judicial Committee of the Privy Council, and Lord Selborne said, what the matter was complained of in the House of Commons, that after the consent of the political department of the Government, the court would not interfere. It is precisely the same principle as in this case. What the hon. gentleman proposes, I say, is to invite a conflict between the Government of Ontario and the Government of Manitoba. Instead of undertaking to deal with the question himself, he has undertaken to

transfer the difficulty which he himself has created from the Government of Canada to the people of Manitoba. He has undertaken to transfer it from those who alone ought to bear the burden of the contest to a Province whose population is sparse and whose resources are limited. I say the whole policy is most reprehensible, and one that this House ought not to encourage. I will, therefore, support the motion made by the hon. member for West Durham.

Mr. MACDOUGALL I understand that a member of the Government in another place has made a statement that the effect of this Bill would be to place the townships and people in the neighborhood of Prince Arthur's Landing under the control of the Province of Manitoba, or something to that effect. I have felt from the first that we were taking a course which would lead necessarily to very great embarrassment. Now, I am of opinion that the Government of the Dominion and the Government of Ontario having agreed upon a conventional boundary in that region of the world, the two Governments should proceed jointly to deal with the lands, to survey the townships, to treat that portion of the country as under their jurisdiction logally. We, having assented to that arrangement, it does seem to me that it would be very inexpedient to disturb it or to proceed in a way that would involve any risk or doubt as to the security of those people under their present institutions until this question is finally disposed of. In that view, I desire to move an amendment to the amendment, that the words "that the conventional boundary agreed upon between the Government of the Dominion and the Government of Ontario, shall be the," be substituted for the words "to some defined eastern limit" in the said amendment. We have had a case very recently which shows the danger and the impropriety, as it seems to me, of allowing that state of things to exist in that part of the country. A man committed a murder in the disputed territory; he was tried at Thunder Bay, and, I believe, under the jurisdiction of the two Governments, some arrangement having been made so as to prevent a failure of justice, that the authority of both Governments should be had by the judge in conducting this trial. The man was found guilty. His counsel, as I have been informed by very good authority, rested the defence upon a point which utterly failed in the evidence, but did not take exception to the jurisdiction—did not raise the question which, I apprehend, will be raised in other cases if the Bill passes in the shape in which it is. Fortunately for the two Governments, this man, feeling perhaps the peculiar position in which he was placed, the ugly questions which might arise, and the difficult position in which innocent persons might be placed if he were executed, relieved them of that difficulty by cutting his throat. But cases might occur where the victim might not be so accommodating, and very serious questions might result. I do not see any difficulty whatever in simply maintaining the *status quo* until this important question is settled by such means as the two Governments shall ultimately agree upon. Therefore I prefer to the amendment the hon. gentleman has moved the statement made once for all, that the conventional boundary already agreed upon, and acted upon, the boundary recognized by the people living in that part of the country shall be the conventional boundary until that settlement is made. I think that is due to the Province of Ontario and the people who have settled there, and I do not see why any gentlemen from other Provinces should see any danger in acquiescing in that arrangement.

Sir JOHN A. MACDONALD. I am rather surprised to hear the argument of the hon. member for Bothwell (Mr. Mills), drawn from the convention between England and the United States as to the boundary of Alaska. That is a matter of treaty. Foreign nations can make treaties between each other, but the arrangement between the Dominion Government and the Ontario Government has no analogy to

that. By a treaty, France handed over Alsace and Lorraine to Germany. By a treaty, you can give up anything; but this is not a treaty, and the Dominion of Canada and the Province of Ontario are not in a position to enter into any treaty for a cession of territory. The hon. gentleman knows that right well. I would point out to my hon. friend the member for Halton (Mr. Macdougall), that the conventional line of which he speaks has not the effect of giving authority to Ontario up to that conventional line.

Mr. MACDOUGALL. They have exercised it.

Sir JOHN A. MACDONALD. No; they have not. They have assumed that the land at the western extremity of Lake Superior belonged to Ontario. The conventional line lies far in the interior, and was established, not for the purpose of declaring that the eastern half would belong to Ontario, and the western half to the Dominion, but for the sake of convenience, in order to let people buy land, and for no other purpose whatever, no matter whether the land belonged to the Dominion or the Province, so that a Dominion sale, west of that line, would be recognized by the Province of Ontario, just as a provincial sale to the east of that line would be recognized by the Dominion; and when the line was finally defined, they would settle the accounts. It was a mere matter of keeping accounts of the sale of lands. But supposing a murder was committed to the east of this conventional line, and the murderer was tried by the courts of Ontario, the fact of the scene of the murder being east of that line would not make it in Ontario, and that man could defend himself successfully upon the ground that the land to the east did not belong to Ontario.

Mr. MACDOUGALL. It would be another Reinhardt case.

Sir JOHN A. MACDONALD. Exactly. A convention in the nature of a treaty between foreign nations has no analogy to this case, because we are portions of one empire. We are not separate powers or entities with power to cede portions of our territories; the only power we have in that respect is that given to us under the Imperial Act to diminish or increase the extent of the Provinces.

Mr. MACDOUGALL. I wish to make one remark in reference to the argument of the hon. gentleman as to the purchase of land, that this is either North-West Territory or Ontario territory. I differ from that view for this reason, that all through our discussions on this matter, it was claimed on the side of the Hudson's Bay Company that they possessed and were entitled to the territory beyond the height of land. On this side the land belonged, not to the Hudson's Bay Company, to whomsoever else it belonged, and when we purchased the North-West Territories, I cannot see that we can lay claim to having purchased any territory on this side of the height of land.

Sir JOHN A. MACDONALD. My hon. friend is quite right; and to show how ineffectually the Dominion case was presented, I may say that that view of the subject was never presented before the arbitrators; that by the Imperial Act, authorizing the surrender to Canada of Rupert's Land and the North-West, the contention was not raised that that Act says that Rupert's Land shall be held to be whatever was in possession, or deemed to be in possession, of the Hudson's Bay Company; and that Act hands over to the Dominion whatever was claimed—

Mr. MACDOUGALL. Rightfully claimed, I think, would be the construction.

Sir JOHN A. MACDONALD. No; the language is positive—whatever was claimed to be possessed by the Hudson's Bay Company was transferred to the Dominion. All the documents show that the Hudson's Bay Company always claimed and occupied the territory beyond the height of land.

Sir JOHN A. MACDONALD.

Mr. MILLS. I was present, and I heard the Act read by Mr. Monk, from Montreal, and if it is not found in the report of the argument, the report does not give all that was said.

Sir JOHN A. MACDONALD. The case was discussed by Mr. McMahon.

Mr. MILLS. Both Mr. McMahon and Mr. Monk were engaged in the case. It is obvious that there was no intention of going to that Act for such a purpose; because whatever our boundaries are they are the same as if that Act had never been passed. I do not wish to detain the House, but the hon. gentleman will see, if he looks at the discussion, that there is nothing that has been referred to here, or in the report presented to this House, that was not brought before the gentlemen who composed that arbitration. I know myself that Sir Edward Thornton was looking into the question for months, and it is unfair to the arbitrators to say that they gave a decision without fully considering this question. But that is quite beside the question. We are considering the policy of the course which the hon. gentleman has taken. I say that he is wrong in the reference which he has made. He says that, because Canada is not an independent country, and the Province of Ontario is not independent, that a conventional agreement between them would have no effect. He will find the East Indian Company was sustained over and over again in the agreements with dependent princes, and the Judicial Committee of the Privy Council always refused to consider, as a commercial transaction, anything agreed upon between those political parties in their political capacity.

Mr. DAWSON. This territory is not so barren as it is supposed to be. It contains, on the contrary, many resources, including agricultural lands, pine covered lands and gold, silver, copper and iron mines. With regard to what the hon. gentleman has said in respect to everything being before the arbitrators, it is quite clear that a great many instructions sent from the Imperial Government to the Governors previous to the issue of General Clark's proclamation, were not before the arbitrators, and with such information as they had, it would have been impossible for them to arrive at a correct decision.

A amendment negatived on the following division:—

YEAS:

Messieurs

Blake,	Macdonell (Lanark),	Skinner,
Cartwright,	McDougall,	Snowball,
Casey,	Mills,	Sutherland,
Casgrain,	Paterson (Brant),	Trow,
Gillies,	Robertson (Shelburne),	Wheler.—17.
Holton,	Scriver,	

NAYS:

Messieurs

Allison.	Houde,	Pinsonneault,
Bannerman,	Hurteau,	Plumb,
Barnard,	Jones,	Pope (Oompton),
Beaty,	Kilvert,	Pope (Queen s),
Beauchesne,	Kranz,	Poupoze,
Bergeron,	Langevin,	Richey,
Bill,	Lantier,	Rochester,
Boulbee,	Little,	Ross (Dundas),
Bowell,	Macdonald (Sir John),	Routhier,
Bunting,	McDonald (Cape Breton),	Boyal,
Cameron (Victoria),	McDonald (Pictou),	Ryan (Marquette),
Carling,	Macmillan,	Ryan (Montreal),
Caron,	McCallum,	Schultz,
Costigan,	McConville,	Scott,
Coursol,	McCuaign,	Shaw,
Daly,	McLennan,	Stephenson,
Dagoust,	Manson,	Strange,
Desaulniers,	Massue,	Tasse,
Doull,	Merner,	Tellier,
Drew,	Méthot,	Tilley,
Elliott,	Montplaisir,	Valée,

Ferguson,  
Fortin,  
Gault,  
Giguault,  
Girouard (Kent),  
Hackett,  
Haggart,

Mousseau,  
Muttart,  
O'Connor,  
Ogden,  
Orton,  
Ouimet,  
Patterson (Essex),

Vanasse,  
Wade,  
Wallace (Norfolk),  
Wallace (York),  
White (Cardwell),  
White (Renfrew),  
Williams.—84.

Mr. BLAKE I desire to place on record my views as to the propriety of making arrangements in any Bill of this description, which are to preserve all the benefits and advantages of the existing conventional arrangement. I do not agree with the hon. gentleman that that arrangement is of so little consequence, as he declares it. I read it to be an agreement for the settlement of a conventional boundary, and to provide for the administration of the lands, the proceeds of which would go to the true owners when the true boundaries would be settled. Since then, each party to the agreement has dealt with its own portion, according to the conventional agreement, and the introduction of this new element of dispute will be nothing less than calamitous. I move:

That the Bill be re-committed to a Committee of the Whole, with inst actions that they have power to amend the same, so as to provide that the existing conditions under the conventional boundary agreed upon by the Governments of Canada and Ontario in 1874 shall not, pending the settlement of the true boundary, be affected prejudicially to the interests of either of the contracting parties, or to those of the inhabitants of Prince Arthur's Landing, Thunder Bay, and other parts of the territory which have been under the control of and treated as part of Ontario, and are represented in this House as part of that Province.

Amendment lost on the same division.

PERSONAL EXPLANATION.

Mr. O'CONNOR. The *Globe* newspaper, of Thursday last, published an article concluding with this paragraph:

"Why did they leave the matter to a sole arbitrator at the request of the plaintiffs? And why was Mr. Keefer, of all men, chosen, if the interests of the country were to have been considered? The explanation may be found in the fact that the Hon. John O'Connor was, not long ago, a partner of Mr. T. H. O'Doherty, who acted as counsel for the petitioners, and if it be true, as reported to us, that Mr. O'Connor received \$15,000 for his services, the course of the Government and the award of Mr. Keefer are by no means inexplicable."

It is not distinctly stated, but left as a matter of inference to be drawn from it, that \$15,000 were paid to me after the award. Now, I will not look for language to properly characterize the statement, but I will simply say that I received neither \$15,000 nor any other sum, except the fee which I received as counsel at the trial of the cause which took place in June, 1877, a year and a half before this Government was formed. I may also say that I have had no interest in any law business, either in the firm to which I belonged before or any other firm, since 1st November, 1878. That is all I desire to say with regard to that statement in the article. It is a simple falsehood; false in fact, false in everything.

SUPPLY—CONCURRENCE.

House further considered resolutions from Committee of Supply.

298. Public Buildings (Ontario). ..... \$70,500 00

Mr. BLAKE. While we have not so much to complain of this Session with regard to getting pure air into this Chamber, in certain parts there are troublesome draughts, of which hon. gentlemen on both sides of the House complain. There is almost a whirlwind, sometimes, when the air is renewed. There ought to be some remedy for this evil.

Mr. LANGEVIN. I also have felt those draughts, and particularly when I sat on the opposite side of the House. Of course no remedy could be applied during the Session, but I will take some steps with that object during the recess.

Mr. PLUMB. I regret to see a disposition to adhere to the plan of having the air through these ducts. I wish to protest against breathing such air, that comes through the cellars, air not touched by the sun. Any hon. gentleman who approves of that kind of air is not fit to be in charge of the ventilation of this House.

313. Miscellaneous—To provide for the cost of a monument to the memory of the late Sir George E. Cartier, Bart..... \$10,000 00

Mr. BLAKE. It will be recollected when a proposal was made for an address or some other proceeding evincing a desire that there should be a public funeral and also a monument to the late Sir Geo. E. Cartier, that proposal was objected to by the hon. member for Lambton as inexpedient, and the votes of the Liberal party were recorded against it. It is not my intention to say a single word which should in any way detract from the large place which Sir Geo. E. Cartier undoubtedly hold in his Province and in the Dominion at large. But the events which followed very shortly upon that vote, and the political events which have succeeded—the reason why that vote as to the monument has remained unacted upon up to to-day—are all, to my mind, proofs, if proofs were needed, of the soundness of the position which was then assumed, namely, that it is not a right or expedient thing that a party leader should be, at the hands of his political friends, controlling for the time the destinies of the country, given public honors of this description at the expense of the people of this country. I think I could name names which are entitled to that distinction, as much as those of any other man that could be mentioned. I think I could name Joseph Howe and D'Arcy McGee and George Brown as those who are as much entitled to this distinction as any other persons who could be named. Two of them, at any rate, died in the midst of active political life, the third having but recently withdrawn from this Chamber to engage in the discharge of a high political office. No proposal of the kind was made in these cases, or in any other cases, so far as I know; and it seems to me impolitic and invidious that this course should be taken and this precedent should be established. I have, therefore, to record my own dissent to the proposition now before the House.

Mr. LANGEVIN. I regret that the hon. gentleman has seen fit to take this course. When a vote was taken on this question in 1873, there might have been an excuse for his opposing the vote, because our lamented friend had just departed this life, and had recently mixed in the active life of Parliament and of politics generally. But now that eight or nine years have passed, and the political strifes of them days forgotten; now, when Sir George Cartier's name has been recorded in history, and when good deeds only should be remembered, I would have thought that the hon. gentleman would have allowed this vote to pass unanimously. As it was the other day in Committee, of course the hon. gentleman is perfectly free to record his vote against the resolution, but I must say that for the sake of himself and his party, I regret his decision.

Mr. MACDOUGALL. I join in the regrets of the last speaker that the leader of the Opposition has felt it to be his duty—as I have no doubt he did—to raise even one voice in opposition to the proposal of the Government to make this testimony to the character and position of one of Canada's great men. I agree with the suggestion made by the Minister of Public Works, that a certain time having elapsed when the feelings engendered by political conflicts may be supposed to have in a measure subsided, it is fitting and proper that this Parliament should recognize the very great services which that deceased gentleman rendered not only to his own Province but to the Dominion and to the Empire. I had the honor of being for some years his colleague, I believe I had the melancholy privilege of being the last Canadian in a public position to see Sir Geo. E. Cartier before his

melancholy death in London. Although, in the political conflicts of that period, I often found it necessary in the discharge of my duties to differ from him in his views of public matters, yet when I recall the services he rendered to this country in the carrying to completion that great measure of Confederation, the benefits of which we are now enjoying, when I consider the singular, the unique position he occupied in this country as representing a great section of people whose apprehensions of evil consequences, I know, prevailed to a large extent irrespective of political party; and when I recall the energy and ability which were brought to bear by that gentleman in bringing to maturity and passing into law that great measure,—I think the people of the Province of Ontario whom the hon. gentleman opposite may be supposed to represent, the political party which he leads, will not object to this recognition of the services of Sir Geo. A. Cartier, and I regret that even one dissenting voice should have been raised against the vote.

Mr. MILLS. In reply to the hon. gentleman, I would say that I do not think he knows the political sentiments not only of the Reform party, but of a large section of the Conservative party. I am perfectly satisfied that they would not favor the proposition now before the House. I am perfectly well aware that they will say there have been distinguished men who have passed away before; the Hon. Robert Baldwin, for instance, for whom nothing was done such as is now proposed with respect to Sir George Cartier; such men as Lafontaine and other eminent men on the Reform side, as well as distinguished leaders of the Conservative party. I remember well that when Sir George Cartier was a member of this House, he sat here as an active supporter of hon. gentlemen opposite, and it does seem to me that if hon. gentlemen think that Sir George Cartier merits this recognition at the hands of this country, it should be left to a time when political animosities with which his name was connected, are forgotten.

Sir JOHN A. MACDONALD. I did not happen to be in the House when the hon. member for West Durham (Mr. Blake) made his remarks stating the grounds of his opposition of this vote. I join with my hon. friends on this side in the regret that he should have allowed any consideration to have induced him to offer opposition to the vote—a vote which, I believe, will be endorsed by the majority of the people of Canada, without reference to political parties, as a fitting testimonial to the merits of a great public man. The hon. gentleman who has just spoken says there are other men such as Baldwin, Lafontaine and others, to whom no testimonial of the kind was ever offered. Well, Sir, the fact that this was the case is not a sufficient reason why this vote should not pass. Sir George Cartier was here as the representative of an important section of the Dominion. He served long and faithfully in the Parliament of Canada before Confederation, and in the Dominion Parliament. As the result mainly of his efforts, the two races, instead of being drawn up in hostile camps—hostile in every sense—have moved on harmoniously together as subjects of the same Sovereign. Let us look back to the time before he came to the front as a prominent statesman. We all remember the suspicion, the jealousy, the hostility that raged—I can use no other expression—that raged between the two Provinces. He at once addressed himself to the cure of that great evil. He almost changed himself from a Frenchman to an Englishman in his efforts to remove that hostility, and it was his pride to state that he was a French-speaking Englishman. He tried to remove the jealousies which arose from circumstances which I do not wish to allude to more particularly, and to make all the subjects of Her Majesty in this Dominion work together. He acted in that spirit only; very much under his direction some of the burning questions which separated the races, and many of the jealousies which placed them in hostile camps, Mr. MACDOUGALL.

were removed. Sometimes, in order to secure co-operation of the two races, he almost raised the suspicion of his fellow-countrymen that he was too much of an Englishman. But very soon after those suspicions were aroused the beneficial consequences of his conciliatory course toward his fellow-members of Anglo-Saxon origin were so manifest, that he was at length accepted by the vast majority of his countrymen in Lower Canada as a representative man, of whom they were proud and in whom they had confidence. We all remember the circumstances of his death. He did not, like some of those who have been mentioned, retire from public life. He died in harness, a victim to the labors of a lifetime in fighting the battles of his country and carrying on the administration of affairs to a successful issue. We all can remember how death was written on his face as he sat in the place now occupied by the hon. Minister of Public Works. But still he was faithful to his trust, he was faithful to his duty, and he left his house and country to die, I may say, for the country. His death aroused the better feelings, the affectionate feelings, of the people of Canada, without reference to political division, and when his remains were brought over from England to be buried in his native soil, I believe there was a general wail of sorrow that so great a man, so good a man, so true a patriot, had fallen so early. He fell in the path of duty, and this is a fitting testimonial to his memory. I regret that any circumstances—and I am sure it must have been against the better feeling of my hon. friend that a sense of duty should induce him—of course it could only be a sense of duty—to take the step he has done. I am sure it is a painful duty to him; I am sure he must feel painfully the circumstances under which he takes this position, and I must say that I do not think it will strengthen that hon. gentleman in the mind of friends or foes. They will think there is a want of generosity in him, a want of liberality, a want of good taste; and I am sure the country will say that one statesman ought not to show his enmity to another in this way. It is uncalculated for, unnecessary, and in some degree discreditable.

Mr. BLAKE. I wish merely to say that if the hon. gentleman had been in his place and had heard my speech, I do not think that even he, to make a political point, would have stated that I said one word to indicate that I had any enmity to Sir George E. Cartier. He was my personal friend.

Mr. TASSÉ. Mr. Speaker, I think it is my duty to join the hon. members of this House, who have expressed their regret at seeing the hon. leader of the Opposition oppose the erection of a monument to the memory of Sir George E. Cartier. I must confess that I had a better opinion of the generosity and highmindedness which the friends of the hon. member for West Durham generally attribute to him. Sir George Cartier is one of those men of whom an adversary can say: "We fought him, but we are proud of him." The hon. member for Bothwell (Mr. Mills) has told us that those who took the initiative in proposing the erection of this monument, did not represent the opinion of all the Conservatives of the Province of Ontario. The hon. member may speak in the name of the Liberals, but I do not admit that he has the right to constitute himself the interpreter of the sentiments of the Conservative party; for few political men, and certainly not a single French Canadian, ever acquired in a like degree, the esteem and the confidence of the Conservatives of the Province of Ontario, as did the much lamented statesman whose name was Sir George Etienne Cartier. And even in the Province of Quebec, Mr. Speaker, if Liberals opposed him during his lifetime, I must admit with pleasure that of late many of them have done him justice, and I myself have heard, on more than one occasion, eminent Liberals admit that Sir George E. Cartier had rendered signal service to his country, and especially to the Province of Quebec, whose respected chief he was

during a noble and glorious career. As has already been said, Mr. Speaker, no man has done more than Sir George E. Cartier to establish on a solid basis—on the basis of justice and that of respecting the rights of everyone—the union of the two great races which inhabit our country; and consequently, no man has acquired a better title to the gratitude and esteem of his fellow-citizens. No man, moreover, has done more to render the French population of this country attached to that English rule under which we have learned to live happy, free and prosperous. He obtained the rank of Baronet for rendering this signal service to the British Crown. We all know, Mr. Speaker, that without Sir George E. Cartier the great system of Confederation which to-day governs this country, would certainly never have been established; without the support that he gave to the scheme of Confederation, that plan would certainly not have secured the consent of the large majority of the electors of the Province which he represented. We also know that Sir George E. Cartier had taken the initiative in the great enterprise of the Pacific railway. We also know that his name is bound up with the codifying of the laws of the Province of Quebec. We know also that during his long career, his name was identified with a number of measures, schemes and enterprises, which greatly contributed to the progress and prosperity of all Canada. Up to the present time, it has ever been, in various countries, the custom to erect monuments to soldiers and warriors only, but I think that a statesman who consecrates all his life, many a night's rest, all his talents, and all his energies to render service to his country, is as much entitled to a monument as he who wins a battle. For these reasons do I once more express my regret at seeing the hon. leader of the Opposition oppose the erection of a monument to the memory of a man who was one of the glories as well as one of the greatest benefactors of his country.

Mr. CASGRAIN. Mr. Speaker, I would like to know if there is to be an inscription on this monument and what it is to be, if any decision has been come to on that point. I would also enquire where this monument is to be erected. If I ask what is to be the gist of that inscription, it is because I understand that that inscription is to be such as to represent historical facts. The question is not one of passing an eulogium on the deceased, but of representing facts such as they took place from the beginning to the end of his career, so that that monument should descend to posterity as a document.

Mr. LANGEVIN. Mr. Speaker, in answer to the hon. member, I must say that the good works accomplished, and the eminent services rendered by Sir George E. Cartier to his country, constitute the finest inscription that he can have, and that the name of "Sir George Etienne Cartier" alone will say more than any inscription that could be engraved on the monument.

Mr. PLUMB. I desire to say one word in behalf of the Province of Ontario. It is my conviction that the great majority of the people of that Province do not entertain the views expressed by the hon. leader of the Opposition—and more particularly of the Conservative party. He has no right to put into the mouths of the Conservative party of Ontario, nor of the Liberal party either, such sentiments as he has uttered just now. This discussion is a most painful one, and I regret that the hon. leader of the Opposition has seen fit, whether in the discharge of his duty or otherwise, to make such allusions as he made in the course of his speech, or, in fact, to object to the vote at all. He says he was a friend of Sir George E. Cartier. If so I can only say, save me from such friends. The hon. gentleman went out of his way to make an allusion to political events, which, he said, made it the more improper that such an appropriation as this should be made—events subsequent to the death of that revered and lamented statesman. It

was not becoming of him to do so, and I cannot imagine in what sense the hon. gentleman regards his duty, nor can I believe that, when this discussion goes before the world as one of the last utterances of the Session of 1881, it will redound to that hon. gentleman's credit.

Sir RICHARD J. CARTWRIGHT. But for the most unreasonable and uncalled-for language indulged in by the leader of the House to my hon. friend beside me, I would not have said one word on this occasion. Had he been in, as my hon. friend truly said, I do not think he would have ventured to make use of the very extraordinary epithets he chose to apply to the exceeding moderate terms in which my hon. friend recorded the opposition which he felt to this vote. Now, what are the circumstances under which this vote is brought forward? The First Minister and his colleagues know right well that my hon. friend from Lambton and my hon. friend from West Durham had years ago taken a division on this identical question. How could they expect that these hon. gentlemen who record their refusal to be parties to a vote for a monument for the late Sir George E. Cartier, could now go back upon their record and allow that to pass without a protest? The thing was perfectly absurd, and if anyone is to blame for having brought on this discussion it is those hon. gentlemen who, at this distant day, chose to bring on this vote. For the late Sir George E. Cartier I will say this, that I believe that, save one other man, he did more, he risked more, he sacrificed more to bring about Confederation than any other man in Canada. The only man who risked as much and sacrificed as much as he did was the late Mr. George Brown. To those two gentlemen, I believe, the Confederation of these Provinces was largely due, and I am bound to say that to both of them in that respect this country owes a great debt of gratitude. But that does not affect in the slightest degree the position taken by my hon. friends beside me, and I repeat that the Government must have known that this vote could not possibly have passed without a record of dissent by them.

323. To pay balance of contract for converting  
ordnance..... \$3,000 00

In answer to Mr. BLAKE,

Mr. CARON. The test to which these guns are submitted was much more severe than any test imposed even at Woolwich, and the only gun which failed to come up to the test must be looked upon, though imperfect, as not so imperfect that its utility is impaired. After reading the report on this subject, the hon. gentleman will see that the experiment we have tried in converting these guns has been a most successful experiment. The cost was \$255 less than it would have cost to have had them converted at Woolwich. In addition to this, we not only make use of our old guns, which were practically useless for defensive purposes, but gave employment to our own people. The two guns made for us by Messrs. Gilbert & Sons, in Canada, cost us less than they would have cost if they had been imported from England. Sir William Palliser himself admits that this is the case, and they are built strictly on the Palliser principle.

324. Intercolonial Railway—Halifax Extension—  
Additional amount required.....\$27,800 00

Mr. BLAKE. By what route will the extension be made?

Sir LEONARD TILLEY. This is merely the extension of the old road. It is also for the erection of wharves, the work on which has been going on.

325. Railways and Canals—Intercolonial Rail-  
way—Locomotive power.....\$22,000 00

Mr. BLAKE. The hon. Minister of Agriculture promised further information with reference to the experimental cargoes of grain at Halifax, in concurrence, on this item: I

asked for explanations on the first occasion, in dealing with this item, without getting any, and I now ask for information again.

#### WAYS AND MEANS.

House again resolved itself into Committee of Ways and Means.

(In the Committee.)

1. Resolved, That towards making good the Supply granted to Her Majesty for the financial year ending 30th June, 1881, the sum of \$1,214,328.25 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, 1882, the sum of \$27,082,257.66 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions ordered to be reported.

House resumed.

Resolutions reported, read a second time and concurred in.

#### SUPPLY BILL.

Sir LEONARD TILLEY introduced a Bill (No. 104) 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, 1881, and the 30th June, 1882, and for other purposes relating to the public service.

Bill read the first and second time.

Sir LEONARD TILLEY. In moving the third reading of the Supply Bill, I would direct the attention of hon. gentlemen opposite to page 13 of the Public Accounts, wherein is stated very fully the powers of the Government with reference to borrowing:

In close connection with the maturing debt is the question of the borrowing powers possessed by the Government—these powers are of two kinds, the limited and unlimited. I have very carefully gone over the limited part contained in statement of the loans authorized, issued and redeemed as it stands from 1869 to 30th June last, and find after revision that on the 30th June last the Government had at their disposal the power to borrow the sums aggregating \$14,897,962.27, and made up as follows:

(a) Amount unissued for Intercolonial Railway \$2,433,333 33

I have retained this amount in the statement, although from the prospectus of the last loan making provision for the purchase of the Rivière du Loup Branch, it might have possibly been considered as then used.

(b) Amount unissued from the North-West Territory ..... \$1,460,000 00

That has not been used.

(c) Amount unissued for the improvement of the St. Lawrence ..... \$1,500,000 00

Against this advances have been made from time to time to the extent of \$1,306,000.

That has not been used.

(d) Amount unissued for improvement of Quebec Harbor ..... \$1,200,000 00

Advances have been made on this account to the extent of \$1,149,140.00.

That has not been used.

(e) Amount unissued for Quebec Graving Dock, \$50,000 00  
The advances on this account amount to \$125,000 00.

That authority has not been used.

(f) Amount unissued for Pacific Railway and Canals ..... \$4,866,666 67

Being made up of the Imperial Guarantee £600,000, and a balance unissued of £400,000 out of £8,000,000, originally authorized. The bonds bearing the Imperial guarantee are held as a reserve for the Dominion note circulation.

These bonds are held under the Act of last Session as security for any demands that may be made for the redemption of our notes. The probabilities are that during the current year that over \$3,000,000 will be deposited in the Savings

Mr. BLAKE.

Banks and Post Offices over and above the sums withdrawn. While we hope we may not require the power—and do not expect to use it—it is well to have it, in addition to the authority asked for in the Act now before the House.

Mr. BLAKE. Could the hon. gentleman inform me to what extent there remain unpaid, the guaranteed loans that have been issued and not redeemed?

Sir LEONARD TILLEY. I forget the whole amount of the guaranteed loan at this moment.

Mr. BLAKE. The reason I asked was because I observed there was a controversy going on in England, in which Sir A. T. Galt and Sir John Rose were on one side, and Mr. Gladstone on the other. The two former gentlemen contended that hardly any of our guaranteed loans remained unredeemed, while Mr. Gladstone contended that the whole of the £3,000,000, and part of a subsequent loan, remained unredeemed.

Sir RICHARD J. CARTWRIGHT. No doubt Mr. Gladstone is right, and it must have been a clerical error on the part of the telegraphic association or else on the part of the reporters in England. We have not yet paid any portion of the guaranteed loans since Confederation. It is certain we have not paid the Intercolonial loan, and we have certainly got to pay those portions of the £3,600,000 which were issued and which amount to about \$3,000,000. We have not made default in any payment, and we have not paid a cent of any of these loans. There is about six millions for which the Imperial Government is liable if Canada made default, and it is to that which Mr. Gladstone alluded, but it is not a liability, I hope, the Imperial Government will ever suffer any inconvenience from. What, perhaps, they may have been alluding to is this: that at first an arrangement was made by which the sinking fund should be invested in the purchase of those particular securities.

Sir LEONARD TILLEY. I think Sir A. T. Galt could not have referred to any guaranteed loan that was issued since Confederation, because none of those have been redeemed. He must have referred to a guarantee given by the Imperial Government before Confederation. The liabilities, of course, were assumed by the Dominion Government, and an arrangement was made by Sir A. T. Galt himself by which the Imperial Government guaranteed a certain amount that has been paid off. The only amount that is not guaranteed at the present moment, are the amounts referred to by the hon. gentleman.

Bill read the third time and passed.

#### THE NEW LOAN.

Bill (No. 106) respecting the new loan of \$18,000,000—(Sir Leonard Tilley)—was read the second and third time and passed.

#### BILL RESPECTING STEAMBOATS.

A message was received from the Senate, with the following Bill (No. 107) of their own, intitled: "An Act in amendment of the Acts respecting steamboats," to which the concurrence of this House was desired.

On motion of Sir John A. Macdonald, the said Bill was read the first and second time, considered in Committee of the Whole, reported, read the third time and passed; and (at 11:30 o'clock, p.m.,) the House adjourned.

## HOUSE OF COMMONS.

SATURDAY, 19th March, 1881.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## COMMUNICATION FROM HIS EXCELLENCY.

Mr. SPEAKER informed the House that he had received from the Governor General's Secretary, the following letter:—

OTTAWA, 19th March, 1881.

SIR,—I have the honor to inform you that His Excellency the Governor General will proceed to the Senate Chamber to prorogue the Session of the Dominion Parliament, on Monday, the 21st instant at 3.30 o'clock.

I have the honor to be, Sir,  
Your most obedient servant,  
F. DE WINTON, Lt.-Col. R.A.,  
Governor General's Secretary.

The Honorable  
The Speaker of the House of Commons.

## PAYMENT OF SESSIONAL INDEMNITIES.

Mr. McINNES. With the permission of the House, on this the last day of the Session, I beg to move:

That in the opinion of this House, it is expedient that the full Sessional allowance be paid F. J. Barnard, Thomas Scott, and Robert Doull, members of this House, in view of the fact that they were unavoidably prevented by illness from being present during the early part of the Session.

I may say, in connection with Mr. Barnard, that he was, unfortunately, ill for a number of months before the House was called together. Even when he left his home, on the 3rd of January, he was not sufficiently recovered to come over here alone, and was compelled to bring his wife with him, thereby causing him increased expense. I believe the circumstances connected with the case of Mr. Scott are similar. He unfortunately met with an accident a few days before the opening of the Session. I leave the House to say whether, in their opinion, it is not just that the hon. members who have the misfortune to be ill at home should be paid their full Sessional allowance. It is a misfortune for an hon. member to be ill anywhere, but I do not know the country will derive any more benefit from their being ill here rather than at home. I find in the Journals of 1874, on the motion of Sir John A. Macdonald, seconded by Mr. Holton, it was resolved:

"That the Accountant of this House be authorized to pay to Joshua Spencer Thompson, Esquire, member for Cariboo; to A. B. Borron, Esquire, member for Algoma; to Lewis George Harper, Esquire, member for Gaspé; and to Stanislas F. Perry, Esquire, member for Prince, the full amount of their indemnity as if they had been present and taken their seats in the House on 20th of March last, under the special circumstances connected with the election and return in these cases."

I find again that on 11th April, 1876, the following resolution, moved by Mr. Holton, seconded by Mr. Langevin, and resolved:—

"That under the special circumstances of the case the Speaker be authorized to cause the full Sessional allowance of Mr. Ross, member for the West Riding of the County of Middlesex, to be paid as if he had been in attendance from the beginning of the Session."

I believe, in that instance, Mr. Ross was only a few weeks here, whereas the hon. members on whose behalf I have moved were here over two months. I find on 9th May, 1878, it was moved by Mr. Dewdney, seconded by Mr. Plumb:—

"That the Accountant of this House be authorized to pay to T. R. McInnes, the newly elected member for Westminster, the full amount of his indemnity as if he had been in attendance in this House for the full number of days of the Session."

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Under these circumstances, I trust the hon. gentlemen mentioned in my motion will receive their full Sessional indemnity.

Sir RICHARD J. CARTWRIGHT said the motion was out of order.

Sir JOHN A. MACDONALD said that if this motion was out of order, a similar objection must have applied to the granting of the full Sessional indemnity to the hon. member for West Middlesex (Mr. Ross) a few years ago, which was unanimously agreed to by the House. The present motion was merely an expression of the House that it is expedient that those hon. members should receive their full indemnity.

Mr. SPEAKER. I decided the other day that the House could not pass such a motion. If that motion is carried the Sessional allowance will have to be paid.

Sir JOHN A. MACDONALD. May says:

"But the rules applicable to grants of money, and motions for increasing the burdens upon the people do not apply to resolutions expressive of any abstract opinion of the House upon such matters. Such resolutions have been allowed upon the principle that not being offered in a form in which a vote of the House for granting money, or imposing a burden, can be regularly agreed to, they are barren of results, and are therefore to be regarded in the same light as any other abstract resolution."

I notice that under that rule resolutions upon the following subjects, among others, were allowed: Prince of Wales, 24th May, 1787. National monuments and works of art, 16th April 1818. Danish claims, 9th June, 1841, 26th June, 1851. Scotch inspectors and surveyors of taxes, 23rd June, 1857. River Thames (amendment on going into Committee of Supply), 9th July, 1858. National defences, 9th July, 1859. Recreation grounds, 15th May, 1860. Harbors of Refuge, 6th May, 1862. Sailors' Homes, 24th April, 1863. These expressions of opinion by the House that certain things are expedient have nothing to do with consequences, they are barren of results, and being so are allowed. As there is no clause in the motion that the Speaker "shall be authorized" to order the payment of a sum of money, I think the motion can be regarded as an expression of opinion merely.

Mr. SPEAKER. I think it can scarcely be held that the motion would be "barren of results," as it would certainly contemplate the payment of the indemnity, and, therefore, I must rule it out of order.

MR. PATRICK.

Sir JOHN A. MACDONALD. I wish to make a statement to the House upon a matter in which I think the House will take an interest. I have been guilty of an omission for which I take some blame to myself, as I intended to have submitted this matter to the attention of the House at an earlier day in the Session when there was a full attendance of members; but the pressure of other duties and the hurry of the Session caused it to be overlooked. I had intended to ask the House to have recognized, as I knew it would most thoroughly, the efficient services of an old officer of Parliament—I mean the late Clerk of the House. Mr. Patrick has served as an officer of this House in various capacities for a period of more than half a century—having been an officer of the Assembly of Upper Canada, and he has performed his various duties with the highest integrity and efficiency. In England it has been usual and proper, when a parliamentary officer is retiring after long services, that the House should specially recognise the services of that officer, and the Clerk and the Clerk Assistant in England have received official recognition of their services. I intended to have moved a motion expressing the recognition of the House of Mr. Patrick's long and faithful services, and I have no doubt that the leader of the Opposition would have

seconded that motion with pleasure. It would be of no value to the late Clerk if I should move the motion at this stage of the Session, when there is merely a fragmentary representation of the House present, and I have risen simply for the purpose of stating that it is my intention, next Session, to move a resolution that the House approve of Mr. Patrick's conduct as an officer of the House, and express their recognition of his long and valuable services.

Sir RICHARD J. CARTWRIGHT. I have no doubt that when the hon. gentleman moves his motion it will meet with a tolerably unanimous expression of approval on this side. Those of us who have long been members of the House remember with pleasure the assiduity and courtesy with which Mr. Patrick always discharged his duties, which at one time were even more onerous than the somewhat onerous duties we have gone through this Session. Very few of the officers of Canada, I think none except Mr. Patrick, have lived to complete more than half a century's service; I am glad to hear the First Minister express his sense of those services and his intention of giving public recognition of them at the proper time. I quite agree with him that it would be better done when the House is full, because I am certain many members on both sides would desire to give public expression to their sentiments of esteem and respect for that very excellent officer.

#### OFFICIAL REPORT OF THE DEBATES.

Mr. WHITE (Cardwell), in moving the adoption of the third report of the Committee appointed to supervise the official reports of the Debates, said: This report is in favor of the employment of amanuenses by the reporters. This system has been found absolutely necessary in every other place where there is an official staff for reporting the Debates. The difficulty that occurred this year has been in the reporters being obliged to go out from the table into the office, there writing rapidly for a time, and returning to the Chamber somewhat exhausted, and thereby unable to take shorthand notes so perfectly as they otherwise would do. The result is, that the copy sent to the printers has been bad, as a rule, and the printing has cost a good deal more, according to the Estimates, on account of corrections, than the cost of these amanuenses will be. The effect of this system will be to enable the reporters to do their work much more efficiently, and really to lessen the expense at the end by the improved character of the proofs that will be brought to the hon. members.

Sir RICHARD J. CARTWRIGHT. This seems to me very reasonable. I would ask the hon. gentleman, as he is better acquainted with these matters than most of us, if it is an easy matter for an amanuensis to read the shorthand notes of another reporter? I have always understood it was not.

Mr. WHITE. The amanuensis does not read the notes at all. Every one who knows anything about the matter at all is aware that the reporter is delayed very often in reading over his notes by the difficulty of making them out, but by having an amanuensis who writes from dictation, the reporter is enabled to read more rapidly and gets the work better done, as well as being more fresh to do note-taking. It is proposed to pay the amanuenses \$12 a week. Payment will be made direct to them, as it was suggested that if the money were paid to the reporters, they might take it and add it to their salaries.

Mr. KIRKPATRICK. I am told by some persons, who have a better knowledge of these matters than myself, that the expense of employing an amanuensis for each reporter will exceed the cost of employing an additional reporter to do their work. If the present staff has too much work to do, it would really be cheaper to

Sir JOHN A. MACDONALD.

employ an additional reporter instead of employing an amanuensis for each reporter. This secretary becomes an employé of the House, and in a short time his salary will have to be increased. It will add to the number of the staff, and must inevitably increase the cost of reporting in a short time.

Mr. WHITE. I may mention that the person who gave my hon. friend that information is incorrect in one respect. An additional reporter would not relieve the staff from that physical exhaustion which comes from the drudgery of writing out the notes rapidly in the time they have before returning to the table to take shorthand notes. It is the labor of writing out their notes which makes it difficult for them to take the shorthand notes as well as they would otherwise do. In Washington, where the staff is much larger than it is here, each reporter has an amanuensis, and some of them have two. The experience of those who are most thoroughly acquainted with this matter is, that if you add another reporter, that would not get rid of the difficulty which, I think, will be avoided by this plan. Much of the cost of the Debates results from the bad copy which the reporters have sometimes turned out through physical exhaustion.

Mr. TROW. I would suggest that if additional reporters are added to the staff, one should be set apart expressly to report the speeches of the hon. member for Niagara (Mr. Plumb).

Mr. PLUMB. I "trow" not. I am very glad it has been proposed to relieve these heavily taxed reporters. I plead guilty to having done my share in taxing them in this House, and I feel, as a matter of conscience, that anything that can be done to relieve them, without increasing unduly the public burdens which my hon. friends opposite are groaning under, should be done. I think it is a step in the right direction. I do not agree with the hon. member for Frontenac (Mr. Kirkpatrick) that the difficulty will be remedied by employing another reporter. The staff this year have done their work, on the whole, in a satisfactory way, and as we have undertaken to have a correct system of reporting, I think that any reasonable means that will contribute to that result, ought to be employed, or else abolish the *Hansard* altogether, and trust ourselves to the tender mercies of the newspapers, whose accuracy is proverbial!

Mr. STEPHENSON. I think the House will agree that the system adopted this year has proved more successful than any one anticipated it would be. As far as the expense is concerned, it is well known that the Session has been unusually lengthy, and the House has sat unusually late. So far as we have been able to ascertain, the work done by the reporters is without precedent in any other public body in the world. In the United States they have a far larger staff, and in England, though the system is not quite the same, a far larger staff, relatively, is employed than here. The propositions contained in this report will vastly improve the system we have inaugurated. I do not think there can be any reasonable objection to the adoption of this report.

Mr. PATTERSON (Essex). I think the reporters of the daily papers in the gallery have more work to do than the *Hansard* reporters, and do it with greater efficiency, because they condense their reports. I think this proposal is the first step towards the abolition of the *Hansard*. We are now going to increase the expenses indefinitely. Next Session there will be an additional reporter, and he will have to have his amanuensis, and by-and-bye these amanuenses will have to have their secretaries, and in the end we will have a staff of reporters, amanuenses and clerks which will be so expensive and so unsatisfactory that it will have to be abolished.

Mr. STEPHENSON. The \$12 a week, which it is proposed to pay these amanuenses, is no more than the sum which is given to the messengers who carry the papers of the hon. member for Essex from here to the post office.

Motion agreed to.

#### ADJOURNMENT.

Sir JOHN A. MACDONALD moved:

That when this House adjourns to-day, it stand adjourned until Monday at half past two p.m.

Motion agreed to; and (at 4:35 o'clock, p.m.,) the House adjourned.

### HOUSE OF COMMONS,

MONDAY, 21st March, 1881.

The SPEAKER took the Chair at half-past Two o'clock.

PRAYERS.

#### REPORT.

Sir JOHN A. MACDONALD laid on the Table of the House the report of the Department of the Interior, for the fiscal year ending the 31st December, 1880.

#### CLOSE OF THE SESSION.

Mr. WRIGHT. Before the Orders of the Day are called, I rise to a question of privilege. Innovations are constantly being made in our constitutional system, as appears from recent proceedings in the English Parliament, and though no change has taken place in our constitutional system, yet there have been changes of another character. An eminent statesman, the late lamented Abraham Lincoln, once remarked that it was not proper to trade horses while crossing a stream; but last Session the Liberal party, while crossing the turbid and muddy stream of Canadian politics, changed the old charger which had fought on many a battle field, for a young and untried thoroughbred—very excellent in every respect, though liable withal to balk occasionally, and kick over the traces. At the close of this Session, one of the most important in our history, I have been requested, Sir, by the members of this House, to subject your conduct, as the first Commoner of Canada, as the incarnation of our constitutional system, to the freest and most unsparing criticism. I am aware that the position occupied by the Speaker of the Canadian Parliament is a peculiar one. You are the special custodian and guardian of the rights and privileges of the members of this House. You are, to use an old phrase, its mouthpiece; you express its pleasure or displeasure; and it falls to my lot to give voice to the feelings of the House with regard to the manner in which you have performed your duties in that capacity, whether it has been fair, impartial and courteous, or the reverse. The position of the Speaker of this House is one of strange isolation. From your place you have witnessed many strange scenes—the rise and fall of political hopes, and many a struggle between those who are in and those who want to get in. I have noticed that, though parties may rise and fall, though Parliaments may pass away, the Speaker of this House never dies. You seem, Sir, to have discovered the elixir of life, the fountain of perpetual youth. I entered parliamentary life in 1863, when I formed the acquaintance of Mr. Wallbridge, who was Speaker of the House. He was succeeded by Mr. Cockburn, who discharged his duties well. The next on the list was Mr. T. W. Anglin, who admirably filled the chair in every sense; and he, in turn, was succeeded by yourself. I venture to say that I express the opinion of the entire

body of this House when I say that by your knowledge of constitutional customs and parliamentary practices, by your unvarying kindness and courtesy, you have won golden opinions from all. I think it is the judgment of the whole House that you have occupied the Speaker's chair in a manner creditable to yourself, to your Province, and to the Dominion at large. A word, in closing, to those who are about to leave these halls, and who we hope to see return a few months hence. I have no doubt that all will, in their several relations of life, discharge their duties as Canadian gentlemen, and although we may have often to meet on this floor as political foes, we will never meet otherwise than as personal friends.

Mr. TROW. Mr. Speaker, I can most cordially corroborate every word which has been spoken by my hon. friend from the County of Ottawa in regard to your conduct in the chair. I have mingled with the Opposition a good deal during this Parliament, and I have never heard a single sentence uttered otherwise than complimentary of your impartiality as the presiding officer of this House. I regret that some members of the Government have unfortunately been absent from their seats owing to illness. I hope that the Minister of Railways will soon be able to return to his duties, for I know there is no man in this Dominion who more faithfully attends to his departmental duties and to the interests of his party than that hon. gentleman. With regard to what the last speaker has said about the change of leadership of our party, I trust that we will be allowed to make our own little internal arrangements in such matters. A truer, a better, or a more honest man is not in Canada than Mr. Mackenzie. I suppose errors have been made, and errors will continue to be made; even the present Administration has not been free from them. I must say that the Government have done a large amount of business this Session, though I regret that important business had to be put aside on account of the length of the railway debate. Time alone will decide whether the contract with the Syndicate will prove of benefit to the country. I, for one, hope that it will. I have to congratulate the hon. member for Niagara upon his coming to the front to occupy the place of the Minister of Railways, and though we are sometimes impatient when speeches are delivered at three o'clock in the morning, we never have that feeling towards the hon. member for Niagara. In conclusion, I must say that the Session just closing has been a very pleasant one, and, speaking as a very humble member of the Opposition, I must acknowledge that we have been treated with a great deal of courtesy—sometimes, under the circumstances, more than we might have anticipated.

Mr. PLUMB. I agree with hon. members in saying that the moment at which we have to say farewell is a very sad one to all of us. It has, of course, its pleasant recollections for all who remember what has happened during this Session, particularly those on this side of the House who have good cause to congratulate themselves on having achieved one, perhaps, of the greatest triumphs that has been achieved in the history of Canada. It is a Session that will be marked undoubtedly in the annals of this country as one of the most important that ever has been held since the discovery of America. We cannot look upon the scenes of time and tell which grave will germinate and which fall. It is impossible for us to know who are making history, or what the results of that history will be; but I believe those who have taken part in the legislation of this Parliament have had the honest satisfaction of promoting the best interests of the great country which we represent. And I do not say it in any disparagement of the Opposition, that they have taken their stand with a conscientious conviction that they were right. We do not agree with them, but we have the pleasure, when we hear the hon. member for South

Perth (Mr. Trow) speak as he has spoken, of knowing that if we differ, we agree to differ, and we can strike hands in friendly personal intercourse although we may be as far as the poles asunder in our ideas of what is best for the condition of the country. We have endeavored to treat, during all the discussions which have taken place this year, the Opposition with that courtesy which, perhaps, we might, from our great number, have denied to them. We felt a kindly sympathy with their weakness, because we remembered that we were very much in the same condition when in Opposition; but we knew enough not to stay there. Whether our hon. friends will take a lesson out of our book or not, we do not know, and that remains for the future to decide. At all events we hope, and we know, that when we come to the straight fight which has to come, that they will maintain their position with all the skill and force which arguments can give; and if they do not succeed, as I hope they will not, it will not be for lack of argument or of every possible means to enforce their own position. I was sorry to have entered the Chamber and found I had missed the eloquent speech—for I know it could be nothing else—of the hon. member for Ottawa (Mr. Wright). That hon. gentleman, when he rises, has a double advantage over every other member of the House. In the first place, he has the gift of oratory. His lips like those of Plato, touched by the bees of Hymettus, run out their honey; and, in the next place, he has entrenched himself so strongly in the hearts of all members of this Parliament, that whatever he says will be met with approbation, for whatever he says richly deserves it. To the hon. member for North Perth (Mr. Trow), I must tender my hearty thanks for the kindly manner in which he spoke of me. It may be possible at some time that I have trenched upon the patience of the hon. member, who has been compelled either to listen to me or go into the smoking room. I am very sorry if I have done so. It is part of the lot of one who takes part in debate that he cannot gauge his own utterances by what he believes to be the sympathy of the House; but I have never intentionally trespassed on the proprieties of debate, and I trust I never may do so. I am hit I always like to strike back, but my heart is like that of the flint and steel. I trust that after my intercourse in Parliament during seven years with hon. members, I can go away with the reflection that I have not made an enemy, and that I have aroused but little antagonism in all the bitterness of debate during the time I have had the honor of a seat in Parliament. I regret more than I can say that we have been deprived during the latter portion of the present Session of one who was a power and authority in himself; and when I look at that empty chair, I believe every member will join with me in expressing the fervent wish that Divine Providence may so order affairs that the hon. member (Sir Charles Tupper) who is now missing from this House, may return with renewed vigor and take his place in the councils of the country with the same might, authority and success which distinguished his career during the long period in which he illustrated the politics of the country. I trust we may all be spared to come together again, and that when we meet we may be able to say that Canada has been progressing in that course of prosperity on which, I believe, it has now entered, and that we shall meet in the chair the dignified, the impartial, the able presiding officer who now sits there, and who has presided up to this time over our deliberations with a competency which has received the endorsement of both sides of the House.

#### BY-ELECTIONS.

Sir JOHN A. MACDONALD. I wish to make an announcement which, I think, will be satisfactory to both  
Mr. PLUMB.

sides of the House. It is quite clear that every Opposition must admit that a Government to be successful must be strong, and the stronger it is the better. I would like to read two telegrams addressed to myself and which I received to day. The first as follows:—

“Your Pacific Railway policy and national tariff was approved by 32 majority in Bellechasse, a Liberal county. I am elected as your supporter.—P. AMYOT.”

The second telegram is from Malbaie:

“Though sick and confined to my bed for three weeks, I was elected by my friends on Saturday morning as one of your supporters.—F. X. CIMON.”

#### 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 presence of this 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 respecting Prize Fighting.
- An Act further to continue in force for a limited time “The Better Prevention of Crime Act, 1878.”
- An Act to amend the law respecting Documentary Evidence in certain cases.
- An Act to amend the Insolvent Act of 1875, and amending Acts.
- An Act to correct a clerical error in schedule B, to the Act forty-third Victoria, chapter twenty-two, amending “The Bank Act” and continuing the charters of certain banks.
- An Act to amend the Act forty-third Victoria, chapter sixty-one, intituled “An Act to incorporate the Assiniboine Bridge Company,” and to change the name of the said Company.
- An Act to amend “The General Inspection Act, 1874,” and the Acts amending it.
- An Act to reduce the capital stock of the Exchange Bank of Canada and otherwise to amend the Act respecting the said Bank.
- An Act to incorporate “The Montreal Board of Trade and Exchange.”
- An Act to extend the Act establishing one uniform currency for the Dominion of Canada to the Provinces of British Columbia and Prince Edward Island.
- An Act further to amend the Act incorporating the Canada Guarantee Company, and to change the name of the said Company to “The Guarantee Company of North America.”
- An Act to incorporate the Dominion Salvage and Wrecking Company.
- An Act to incorporate the Wrecking and Salvage Company of Canada.
- An Act to amend the Act of incorporation of “The Accident Insurance Company of Canada,” and to authorize the change of the name of the said Company to “The Accident Insurance Company of North America.”
- An Act to provide for the salaries of an additional Judge of the Court of Queen's Bench and an additional Judge of the Superior Court in the Province of Quebec.
- An Act to continue in force for a limited time the Act forty-third Victoria, chapter thirty-six.
- An Act to incorporate the Association known as “J. Winslow Jones & Company (Limited).”
- An Act respecting the Canada Consolidated Gold Mining Company.
- An Act to incorporate The Bay of Quinté Railway and Navigation Company.
- An Act respecting *La Banque Ville Marie*.
- An Act to incorporate the Ontario and Quebec Railway Company.
- An Act respecting the Grand Trunk Railway Company of Canada.
- An Act to incorporate the Hull Mines Railway Company.
- An Act to incorporate the Metropolitan Fire Insurance Company of Canada.
- An Act to provide for the correspondence of certain provisions of the Act respecting the navigation of Canadian waters with the provisions for like purposes in force in the United Kingdom.
- An Act relating to the Canada Military Asylum at Quebec.
- An Act to incorporate the Moncton Harbor Improvement Company.
- An Act to amend the Act incorporating the Souris and Rocky Mountains Railway Company.
- An Act to amend the Petroleum Inspection Act, 1880.
- An Act to amend the Acts incorporating the Montreal, Portland and Boston Railway Company.
- An Act to remove doubts as to the true construction of section twelve of “The Northern Railway Company Act, 1877.”

An Act to amend the Act fortieth Victoria, chapter ten, intituled: "An Act to amend and consolidate the Acts respecting the Customs."

An Act respecting the Northern Railway Company of Canada.

An Act respecting the Ontario and Pacific Junction Railway Company.

An Act to incorporate the Northern, North-Western and Sault Ste. Marie Railway Company.

An Act to incorporate "The Napierville Junction Railway and Quarry Company."

An Act respecting Naturalization and Aliens.

An Act to incorporate the "English and Colonial Insurance Company."

An Act to incorporate the European, American, Canadian and Asiatic Cable Company (Limited).

An Act further to amend an Act respecting certain Savings Banks in the Provinces of Ontario and Quebec, and to continue for a limited time the Charters of certain Banks to which the said Act applies.

An Act to enlarge and extend the powers of the "Crédit Foncier Franco-Canadien."

An Act to incorporate the Crédit Foncier of the Dominion of Canada.

An Act to amend the Consolidated Railway Act.

An Act to amend and consolidate the laws relating to Government Railways.

An Act with reference to the Andrew Mercer Ontario Reformatory for Females, and the Central Prison of Ontario.

An Act to incorporate the Acadia Steamship Company (Limited).

An Act further to amend the Act forty-second Victoria, chapter fifteen, and forty-third Victoria, chapter eighteen, as respects duties of Customs.

An Act to authorize the raising by way of loan of certain sums of money required for the public service.

An Act in amendment of the Acts respecting Steamboats

An Act to provide for the extension of the boundaries of the Province of Manitoba.

An Act to provide for the allowance of drawback on certain articles manufactured in Canada, and used by the Canadian Pacific Railway Company.

An Act to prescribe a declaration to be taken by employes on telegraph lines under the control of the Government, and to provide for the punishment of telegraph operators and employes who divulge the contents of certain telegrams.

An Act to amend the Act thirty-sixth Victoria, chapter sixty, respecting the Montreal Harbor Commissioners.

An Act to increase the salaries of the Judges of the Supreme Court of Prince Edward Island.

An Act further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada.

An Act to remove doubts as to the power to imprison with hard labour under the acts respecting vagrants.

An Act to amend the Dominion Lands Acts.

An Act to amend "The Indian Act, 1880."

An Act further to amend the Act incorporating "The International Railway Company"

An Act to amend the Acts relating to the New Brunswick Railway Company.

An Act to provide for the incorporation of a Company to establish a Marine Telegraph between the Pacific Coast of Canada and Asia.

Then the Honorable the Speaker of the House of Commons addressed His Excellency the Governor General as follows:—

"MAY IT PLEASE YOUR EXCELLENCY,

"In the name of the Commons, I present to Your Excellency a Bill intituled: '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, 1881 and the 30th June, 1882, and for other purposes relating to the Public Service,'—to which I humbly request Your Excellency's assent."

To this Bill the Royal Assent was given 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 Third Session of the Fourth Parliament of the Dominion with the following

### SPEECH.

*Honorable Gentlemen of the Senate:*

*Gentlemen of the House of Commons:*

In relieving you from your parliamentary duties after a long and laborious Session, I desire to convey to you my best thanks for the assiduity you have shown in their performance.

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The measure for transferring to a Company of Capitalists the responsibility of constructing and operating the Canadian Pacific Railway will, I am assured, be followed by most favorable results, and ensure the rapid completion of this great national enterprise.

It will be the duty and interest of the Company to use every exertion to dispose, without delay, of the lands granted in aid of their undertaking, and for that purpose to promote immigration from abroad on an extensive scale.

My Ministers will, however, not relax their efforts in the same direction, and it is believed that by the united action of the Government and the Company, a large influx of valuable settlers may be confidently anticipated. Such an immigration must tend to enhance the value of the public domain in the North-West.

While the system of making free grants to actual settlers will be maintained in its integrity, the lands reserved for sale by the Crown will, it is believed, be disposed of at prices sufficient, eventually, to repay the whole of the expenditure of money by the Dominion on the construction of the Railway.

The extension of the Boundaries of Manitoba will confer the privilege of Local self Government on the people already resident in, or who may hereafter occupy, the area now added to the Province, and by enabling the Legislature to establish Municipal Institutions in its enlarged limits, tend greatly to add to the welfare of that interesting region.

The amendment of the Naturalization Laws will, I trust, have the effect of removing the disadvantages under which emigrants from Europe have hitherto labored, and of attracting a large influx of population from the Old World.

The consolidation and amendment of the General Railway Acts, and of the Laws relating to Government Railways has improved and systematized our Railway legislation.

I am pleased to observe that you have not been forgetful of the interests of the Indian population of the North-West. It is greatly to be hoped that the efforts to induce them to forsake their nomadic habits and betake themselves to pastoral and agricultural pursuits will be successful. By no other means can their civilization be promoted, the Indians themselves rendered self-reliant and self-supporting, and the Dominion Treasury relieved of the burden of rescuing them from their apparently chronic state of destitution.

The extension of our Telegraphic system by Cable in the River and Gulf of St. Lawrence, will aid the fisheries and the commerce of Canada and increase the safety of its waters.

*Gentlemen of the House of Commons:*

In Her Majesty's name, I thank you for the Supplies you have so readily granted, and heartily congratulate you on the improved condition of the Revenue.

*Honorable Gentlemen of the Senate:*

*Gentlemen of the House of Commons:*

I bid you farewell, and trust that when Parliament re-assembles we shall be able to congratulate ourselves on Canada having, meanwhile, enjoyed a season of peace and prosperity.

The Parliament of the Dominion of Canada was then prorogued to the 2nd day of May next.

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## SESSION 1881.

ABBREVIATIONS:—1<sup>o</sup>, 2<sup>o</sup>, 3<sup>o</sup>, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., Three months' hoist, Six months' hoist; B., Bill; M., Motion; Y., N., Yeas, Nays; Com. of Wh., Committee of the Whole House; O. C., Order in Council. Subjects connected with a Province as a whole is indexed under the head of the Province.

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- Ways and Means Amt. (Mr. Paterson, Brant) for exemption of lap-welded tubing from duty, neg. (Y. 29, N. 77) 1412.